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ABSTRACT

This packet contains nine Senate bills and eight House bills from the 95th Congress, 1st session, all dealing with various means of increasing employment opportunities. Most of the bills deal with the creation of new jobs or with programs for job training, counseling, or placement. Seven of the bills constitute amendments to the Youth Conservation Corps Act of 1970 to expand the Corps or to add a Young Adult Conservation Corps. Some bills deal with broader economic policy issues through amendments to the Employment Act of 1946. Those included are H.R. 20, H.R. 30, H.R. 209, H.R. 260, H.R. 2595, H.R. 2596, H.R. 2606, H.R. 2726, S. 1, S. 40, S. 50, S. 170, S. 249, S. 306, S. 378, S. 494, S. 503. (JT)

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ED138710

Bills to Increase Employment Opportunities through the Youth Conservation Corps and Other Means, 95th Congress, 1st Session

Congress of the U.S., Washington, D.C.

1977

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION
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CE 009 802

95TH CONGRESS
1ST SESSION

S. 1

U S DEPARTMENT OF HEALTH.
EDUCATION & WELFARE
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IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1977

Mr. MATHIAS introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

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A BILL

To establish improved policies and programs for the immediate reduction of unemployment and to provide for the improvement of employment opportunities for youth in America, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Employment Resources Act of 1977".

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STATEMENT OF FINDINGS AND POLICY

SEC. 2. (a) The Congress finds that—

(1) the severe recession of 1974 and 1975 has left the United States with unacceptably high levels of unemployment;

(2) such high unemployment diminishes the lives, and aspirations not only of unemployed individuals and their families but of all Americans;

(3) that the United States is poorer by virtue of the lack of goods and services which unemployed individuals could otherwise have produced;

(4) that the United States is burdened as a result of the social problems (including increased incidents of crime), accompanying high unemployment.

(b) The Congress further finds—

(1) that to tolerate the human economic and social waste of unemployment in the misplaced hope of avoiding a rekindling of inflation is impossible; and

(2) that the development and implementation of policies to reduce unemployment should be accompanied by the development of policies designed to avoid overheating the economy, increasing inflation, and precipitating a new recession.

(c) The Congress finds that the commitment to full employment is not enough, that an implementation of the full employment policy is imperative, and that such a policy should provide for every individual able and willing to work the opportunity of a job.

(d) The Congress declares that it is a continuing policy of the Federal Government—

(1) to assure the opportunity of a productive job for every individual able and willing to work and

thereby avoid condemning many millions of Americans to enforced idleness, poverty, and isolation;

(2) to implement the obligation necessary to carry out the policies set forth in clause (1) by broadening access ~~to educat~~ional training and advancement opportunities for all individuals without regard to sex, race, creed, color, ethnic origin, or age;

(3) to develop and carry out new, and strengthen existing, programs to eradicate inequities in the opportunities available to different groups to compete for jobs and increased income with special attention to the equal opportunities for minorities and women and the elimination of any policies restricting entry to trades and jobs.

(c) The Congress declares that it is the policy of the United States to strengthen economic manpower, welfare, and education policies and to improve the cooperation between public and private sectors of the economy in order to assure the immediate reduction of unemployment and to stimulate the growth of the economy with special efforts directed at facilitating the entry of young people into productive work, enhancing the employability of the hard to employ, strengthening work incentives, improving manpower systems to make them more responsive, and enlarging the options available to individuals with respect to the use of time for family life, education, work, and leisure.

TITLE I—EMPLOYMENT RESOURCES PROGRAM

DECLARATION OF POLICY

SEC. 101. Section 2 of the Employment Act of 1946 (15 U.S.C. 1021) is amended to read as follows:

"DECLARATION OF POLICY

"SEC. 2. (a) The Congress declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with its needs and obligations and other essential national policies, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions which promote useful employment opportunities including self-employment, for all individuals able, willing, and seeking to work, and to promote full employment, production, and purchasing power.

"(b) The Congress declares that it is the policy of the Federal Government to provide an opportunity for all adult Americans able, willing, and seeking work opportunities for useful paid employment at fair rates of compensation.

"(c) The Congress declares that it is the policy of the Federal Government to promote economic expansion at a rate designed to reduce overall unemployment in the United States by 1.5 per centum each year. In carrying out the policy required by this subsection the President shall design policies consistent with this Act to assure that the unemployment rate does not exceed 5 per centum by the end of calendar year 1978.

"(d) The Congress further declares that inflation is a major national problem requiring strengthened government programs with particular emphasis upon new anti-inflationary techniques that are developed and available as standby programs.".

FISCAL AND MONETARY POLICIES

SEC. 102. (a) The Employment Act of 1946 is amended by inserting after section 3, as amended by this Act, the following new section:

"FISCAL AND MONETARY POLICIES

"SEC. 3A. (a) The Economic Report required to be transmitted by the President under section 3 of this Act shall for each year after the date of enactment of the Employment Resources Act of 1977 set forth the following:

"(1) The level and composition of Federal expenditures, measured with respect to estimated capabilities of full employment and production, necessary to support the policy proposed in section 2, taking into account the role of the private sector and of State and local governments in supporting that policy. The President shall also make a determination of the extent to which the use of aggregate fiscal and monetary policy, without supplementary employment policies provided for in the Employment Resources Act of 1977, will achieve the production, employment, purchasing power, and other policies set forth in such section 2. Whenever the economy is operating at full production and employment is subjected to excessive strain, the President shall propose the set of standby programs having anti-inflationary characteristics which he determines to be appropriate.

"(2) Federal tax policy consistent with expenditure levels in paragraph (1) of this subsection necessary to (A) balance the Federal Budget or create a surplus under conditions of full production, employment, and purchasing power, (B) restrain excessive economic activity and inflation when total demand threatens to exceed the Nation's capabilities at full employment, (C) avoid fiscal drag upon the economy during any periods of substantial economic slack, and (D) contribute to the necessary level and distribution of purchasing power to carry out the policies set forth in section 2.

"(3) A monetary policy designed to assure such rate of growth in the Nation's money supply, such interest rates and such credit availability, including policies of credit reform allocation, and international capital flows as are conducive to achieving and maintaining the full employment, production, and purchasing power policies specified in section 2.

"(b) The Board of Governors of the Federal Reserve System shall transmit to the President and the Congress within fifteen days after the transmission of the economic report required under section 3, an independent statement setting forth its intended policies for the current and subsequent fiscal year with respect to functions of the Federal Reserve System, the extent to which such policies will support the achievement of the policies set forth in section 3, and a full justification for any substantial variation from the policies and recommendations of the President set forth in such economic report. If the President determines that the policies of the Board are inconsistent with the achievement of the policies proposed under this Act, the President shall make recommendations to the Board and to the Congress to insure closer conformity to the policies set forth in this Act.".

ANTI-INFLATION POLICIES

SEC. 103. Section 3 of the Employment Act of 1946 is amended by adding at the end thereof the following new subsection:

"(d) The Economic Report required by this section shall each year contain a comprehensive set of anti-inflation programs, including but not limited to—

"(1) a comprehensive information system to monitor and analyze inflationary trends in individual economic sectors, including information on the international sector, designed to assure that the President and the Congress can be alerted to devolping inflation problems and bottlenecks, after utilizing fully the services of the National Occupational Assessment Center established under the Employment Resources Act of 1977;

"(2) the use of monetary and fiscal policies geared to the capabilities of the economy operating at full employment as provided in section 3A;

"(3) programs designed to increase the supply of goods, services, labor, and capital in structurally tight markets, with particular emphasis on increasing the supply of food and energy;

"(4) provision for an export licensing mechanism for food and other critical materials when the national well-being is threatened because projected supplies are inadequate to meet domestic needs without drastically increasing prices, and the establishment of stockpile reserves of food and other critical materials in order to meet emergencies and to maintain reasonable price stability and adequate farm income;

"(5) encouragement to labor and management to increase productivity within the framework of full employment through voluntary arrangements in industries and economic sectors;

"(6) recommendations to strengthen and enforce the antitrust laws and such other recommendations as are necessary to increase competition in the private sector; and

"(7) recommendations for administrative and legislative actions to promote reasonable price stability whenever the situation shows that national price stability is seriously threatened.".

SPECIAL EMPLOYMENT NEEDS

SEC. 104. (a) The President shall prepare and develop proposals to strengthen the provisions of sections 607, 608, and 609 of the Comprehensive Employment and Training Act of 1973 relating to the public service employment of long-term unemployed low-income persons.

(b) (1) The President is authorized to establish experimental programs, including innovative research and development projects, to provide sheltered or supported work for individuals with special employment problems, particularly

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ex-criminal offenders, drug addicts, severely handicapped individuals, school dropouts, and the mentally ill.

(2) Any experimental programs and projects developed under the authority of this section shall be conducted by the Secretary of Labor or such other appropriate Federal officials as the President determines will best carry out the purposes of this Act in cooperation with supported work projects carried out by the Secretary of Labor.

(c) (1) The Secretary of Labor is authorized and directed to develop promptly programs and projects designed to meet the special needs of elderly persons forced to premature retirement, and for women in the home who require part-time employment.

(2) The President shall transmit to the Congress not later than ninety days after the enactment of this Act proposals for the programs developed pursuant to paragraph (1) of this subsection.

NATIONAL OCCUPATIONAL ASSESSMENT CENTER

SEC. 105. (a) There is established in the Executive Office of the President a National Occupational Assessment Center (hereinafter in this section referred to as the "Center").

(b) The Center shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate.

(c) There shall be in the Center a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Director shall perform such functions as the Director may prescribe and shall be Acting Director during the absence or disability of the Director or in the event of a vacancy in the position of the Director.

(d) The Director of the Office is authorized to—

(1) conduct a continuing assessment of employment and the need for new occupations, including the effect of—

(A) new research and development programs, particularly federally assisted research and development programs,

(B) new technologies, industrial processes, production trends in major industries and commodities,

(C) long-term financial developments, and

(D) national and international trade policies;

(2) identify the need for new careers and new occupations utilizing scientific procedures, techniques, and methodologies including the use of appropriate computer models;

(3) supervise, at the request of the President, such projects and activities as will contribute to the identification of new career fields and new occupations; and

(4) report to the President and to the Congress not later than sixty days after the end of each fiscal year on the activities of the Center together with such recommendations, including recommendations for legislation, as the Director deems appropriate.

(e) (1) The Director, subject to the direction of the President, is authorized to—

(A) appoint and fix the compensation of such scientists and other personnel as he deems necessary without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, at rates not in excess of the maximum rate for GS–18 of the General Schedule under section 5332 of such title and to appoint and fix the compensation of such additional technical personnel as he deems necessary;

(B) procure temporary and intermittent services to the extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $125 a day for individuals;

(C) promulgate such rules and regulations as may be required to carry out the provisions of this section;

(D) enter into such contracts, agreements, and other arrangements as the Director deems appropriate;

(E) appoint such advisory committees as the Director may determine to be desirable to carry out the functions of the Center under this section; and

(F) use the services, personnel, facilities, and information of Federal executive agencies and the services, personnel, facilities, and information of State and local public agencies and private research agencies, with the consent of such agencies, with or without reimbursement therefor.

(2) Upon request made by the Director, each Federal executive agency is authorized and directed to make its services, personnel, facilities, and information (including suggestions, estimates, and statistics) available to the greatest practicable extent to the Center in the performance of its functions.

(f) (1) Section 5315 of title 5, United States Code, is amended by adding at the end thereof the following new paragraph:

"(105) Director, Center for Occupational Assessment.".

(2) Section 5316 of title 5, United States Code, is

amended by adding at the end thereof the following new paragraph:

"(137) Deputy Director, Center for Occupational Assessment.".

(g) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

ASSISTANT SECRETARY OF LABOR FOR VETERANS' AFFAIRS

SEC. 106. (a) Section 2 of the Act of April 17, 1946, (60 Stat. 91) as amended (20 U.S.C. 553) is amended by—

(1) striking out "five" in the first sentence of such section and inserting in lieu thereof "six"; and

(2) adding at the end thereof the following new sentence: "One of such Assistant Secretaries shall be an Assistant Secretary of Labor for Veterans' Affairs.".

(b) The Assistant Secretary of Labor for Veterans' Affairs established pursuant to subsection (a) of this section shall under the general supervision and direction of the Secretary be responsible for all employment and training programs relating to veterans, particularly Vietnam era veterans.

(c) Paragraph (20) of section 5315 of title 5, United States Code, is amended by striking out "(5)" and inserting in lieu thereof "(6)".

TITLE II—YOUTH EMPLOYMENT PROGRAM

SEC. 201. This title may be cited as the "Youth Employment Program".

STATEMENT OF PURPOSE

SEC. 202. It is the purpose of this title to use the Nation's investment in its youth more effectively by providing an improved program to stimulate job opportunities for youths, by providing youths with opportunities for community service, both in neighborhood restoration and environmental improvement projects, by strengthening manpower and training programs for youth, by establishing a Young Adult Conservation Corps, and by strengthening the Youth Conservation Corps.

DEFINITIONS

SEC. 203. As used in this title, the term—

(1) "eligible applicant" means any public agency including any department or agency of the Federal Government and any State or local government agency; any prime sponsor under title VI of the Comprehensive Employment and Training Act of 1973; any private institution or organization, including any labor union, any business enterprise, any volunteer organization, any neighborhood organization, and any community-based organization as defined in section 701 (a) (1) of the Comprehensive Employment and Training Act of 1973;

(2) "youth" means any individual who—

(A) has attained age sixteen, but not age twenty-four,

(B) may be in school part-time, or out of school, and

(C) is looking for work and needs employment, guidance, and counseling, or job placement services;

(3) "community service" means work in such fields as environment quality, health care, education, public safety, crime prevention and control, prison rehabilitation, transportation, recreation, maintenance of parks, streets, and other public facilities, solid wastes removal, pollution control, housing and neighborhood improvements, rural development, conservation, beautification and other fields of human betterment and community improvement;

(4) "lower-living standard budget" means that income level (adjusted for regional and metropolitan, urban and rural differs in family size) determined annually by the Bureau of Labor Statistics of the Department of Labor and referred to by such Department as the lower living standard budget;

(5) "Agency" means the Youth Employment Agency established in the Department of Labor under section 212;

(6) "Service" means the Youth Employment Service established under section 216 of this title;

(7) "Secretary" means the Secretary of Labor; and

(8) "State" means any of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Trust Territory of the Pacific Islands.

PART A—NATIONAL YOUTH SERVICE AND JOB PROGRAM

ELIGIBLE YOUTHS

SEC. 211. (a) An individual is eligible to participate in any program assisted by the Agency under this part if that individual is a youth who—

(1) is a member of a family with an income less than the lower living standard budget, or

(2) if not residing with his family, has an income less than the lower living standard budget adjusted pursuant to the regulations of the Secretary, and is not attending any educational institution (as defined by the General Education Provisions Act) on more than a half-time basis.

(b) Such youth participants must be citizens or permanent residents of the United States.

ESTABLISHMENT OF THE YOUTH EMPLOYMENT AGENCY

SEC. 212. (a) There is established within the Department of Labor a Youth Employment Agency. The Agency shall be headed by a Director appointed by the President, by and with the advice and consent of the Senate. The Director shall be under the supervision and direction of the Secretary of Labor.

(b) The functions of the Secretary under this part shall be administered through the Agency.

NATIONAL YOUTH SERVICE PROGRAM

SEC. 213. (a) The Secretary, through the Agency, is authorized, in accordance with the provisions of this part, to make grants to, and to enter into contracts with, eligible applicants to pay the costs of community service programs to be carried out by eligible youths employed by such applicants.

(b) No grant may be made and no contract may be entered into under the provisions of this section unless the agreement evidencing such grant or contract provides assurances that—

(1) eligible youths employed in community service jobs under this title shall be paid wages which are not lower than (A) the minimum wage which would

be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(1) of such Act applied to the youth and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay for persons employed in similar public occupations by the same employer;

(2) all such youths employed in community service jobs under this title will be assured of workmen's compensation, health insurance, employment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(3) the programs or activities subject to such agreement (A) will result in an increase in employment opportunities over those which would otherwise be available, (B) will not result in the displacement of currently employed workers (including partial displacement such as reduction in the hours of nonovertime or wages or employment benefits), (C) will not impair existing contracts for services or result in the substitution of Federal or other funds in connection with work that

would otherwise be performed and (D) will not substitute jobs assisted under this title for existing federally assisted jobs;

(4) in the case of an eligible applicant that is a business enterprise (A) the project for which assistance is sought under this part will be operated at no profit to the applicant, (B) such project will not directly benefit the employees of that business enterprise, and (C) such project will be operated in a field separate from the normal activities of that business enterprise;

(5) the employer, to the extent practicable, will furnish counseling, testing, coaching, program orientation, and other appropriate services for such youth employed by the applicant designed to assure that the youth will obtain employment; and

(6) no person with responsibility in the operation of such an agreement will discriminate with respect to any eligible youth or any applicant for participation because of race, creed, color, national origin, sex, political affiliation, or beliefs.

YOUTH WAGE SUPPLEMENT VOUCHERS

SEC. 214. (a) (1) In order to demonstrate the feasibility of the payment of wage supplements on behalf of eligible youths—

(A) who are employed by an employer which is an eligible applicant, and

(B) who receives guidance, counseling, testing, and other appropriate services designed to assure that such youth will maintain or retain gainful employment,

the Secretary is authorized to conduct demonstration projects either directly or by way of grant, contract, or other arrangement with eligible applicants under which wage supplements are paid on behalf of such youths in accordance with the provisions of this section.

(2) The Secretary shall carry out the program authorized by this section so as to determine the feasibility of the payment of wage supplements for such youths on a nationwide basis and so as to assure that such payments are made in each region throughout the United States.

(b) No wage supplement payment may be made under this section unless an application is made by the eligible applicant. Each such application shall contain provisions to assure—

(1) that the employer will furnish appropriate training and other manpower services designed to assist any youth employed by such employer to maintain or retain permanent employment;

(2) that the provisions, except as provided in sub-

section (c) of this section, of paragraphs (1), (2), (3), (5), and (6) of section 213(b) are met; and

(3) that the employer will furnish to the Secretary such information including the identity of each eligible youth and a description of the manpower services being provided to such youth as the Secretary may reasonably require.

(c) The Secretary may waive any requirements under subsection (b) of this section as he determines is necessary to carry out an effective demonstration project under this section except that the Secretary may not waive the provisions of paragraphs (1), (3), and (6) of section 213(b).

(d) Notwithstanding any other provision of law, the payment of a wage supplement voucher on behalf of an eligible youth under this section shall not affect the eligibility of any youth or of any employer subject to the provisions of this section from receiving any benefit under any other provision of Federal law.

(e) Not later than   , the Secretary is authorized to prepare and submit to the Congress a report on the program authorized by this section together with such recommendations, including recommendations for additional legislation as he determines desirable. In preparing such report, the Secretary shall plan for a capacity of the program authorized by this section to employ one hundred thousand young adults under this part during its first fiscal year of operation, three hundred thousand young adults during its second fiscal year of operation, four hundred thousand young adults during its third fiscal year of operation, and five hundred thousand young adults during its fourth fiscal year of operation.

FUNCTIONS OF THE AGENCY

SEC. 215. The Secretary, through the Agency, is authorized to—

(1) develop improved counseling, testing, coaching, program orientation, recruitment, and placement services for youth, including necessary follow-up services designed to assist youth to secure and retain employment;

(2) review and recommend necessary changes in the manpower programs being assisted under the Comprehensive Employment and Training Act of 1973 designed to assist youth, especially programs for youth described in section 304(a) of that Act, in order to strengthen and improve such programs;

(3) make grants to and enter into contracts with eligible applicants for the employment of eligible youths in community service programs in accordance with section 213 of this title;

(4) develop, in cooperation with private business concerns, employment opportunities for youth, including the carrying out of experimental projects for the reimbursement of on-the-job training programs, to the extent authorized by any other provision of Federal law; and

(5) develop and carry out an experimental voucher supplemental wage program for youth in accordance with the provisions of section 214 of this title.

YOUTH EMPLOYMENT SERVICE

SEC. 216. (a) There is established in the United States Employment Service of the Department of Labor a Youth Employment Service which shall be responsible for administering section 217 of this title. The Service shall be headed by a Director.

(b) The Service shall be under the direct supervision of the Secretary. The Director shall report to the Secretary through the Assistant Secretary of Labor for Manpower.

YOUTH EMPLOYMENT SERVICE GRANTS

SEC. 217. The Secretary, through the Service, is authorized to make grants to State employment services to establish youth employment guidance and job placement programs designed to—

(1) provide opportunities for youth, particularly

improved matching of youth career desires and job opportunities, both locally and regionally;

(2) furnish job counseling and job placement services to youths in secondary and postsecondary schools and to youths who are out of school;

(3) furnish pre-employment counseling to youths in intermediate and secondary schools; and

(4) furnish information to youths on educational opportunities, job training, and vocational education programs, manpower development programs, and Federal, State, and local assistance available to youths.

AMENDMENTS TO THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973

SEC. 218. (a) Section 301(c) of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new sentence: "In order to carry out his responsibilities under this subsection, the Secretary shall enter into whatever arrangements he determines necessary to encourage States and units of general local government to eliminate provisions of law and regulations that are unnecessary and prohibit or inhibit ex-criminal offenders from obtaining gainful employment.".

(b) Section 304 of such Act is amended by adding at the end thereof the following new subsection:

"(c) In addition to amounts authorized by any other provision of this Act there are authorized to be appropriated such sums as may be necessary for the fiscal year 1977 and for the succeeding fiscal year to carry out programs described in paragraphs (1), (2), and (3) of subsection (a) of this section.".

(c) Title IV of such Act is amended by adding at the end thereof the following new section:

"AUTHORIZATION OF APPROPRIATIONS FOR FISCAL YEARS 1977 AND 1978

"SEC. 420. In addition to amounts authorized by any other provision of this Act, there are authorized to be appropriated such sums as may be necessary for the fiscal year 1977 and for the succeeding fiscal year to carry out the provisions of this title.".

(d) Section 702 of such Act is amended by adding at the end thereof the following new subsection:

"(d) The Secretary is authorized to encourage prime sponsors under title I of this Act to maintain the percentage of youths served by each such prime sponsor at a level not less than the percentage of such youths served by such prime sponsor for the fiscal year 1975.".

AMENDMENT TO THE DOMESTIC VOLUNTEER SERVICE ACT OF 1973

SEC. 219. Section 103 (b) of the Domestic Volunteer Service Act of 1973 is amended by inserting "(1)" after the subsection designation and by adding at the end thereof the following new paragraph:

"(2) The Director, to the extent feasible, shall encourage the use of youth volunteers and shall take steps to assure that each such youth volunteer is provided with an individual plan designed to furnish an opportunity for job advancement or for transition to a situation leading to gainful employment.".

PART B—YOUNG ADULT CONSERVATION CORPS

SHORT TITLE

SEC. 231. This title may be cited as the "Young Adult Conservation Corps Act".

PROGRAM AUTHORIZED

SEC. 232. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; 42 U.S.C. prec. 2711 note; 16 U.S.C.A. 1701-1706) (hereafter in this Act referred to as the Youth Conservation Corps title), is amended by adding at the end thereof the following new title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds—

"(1) that unemployment levels are excessively high among young adults;

"(2) that young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) that as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) that there are large inventories of conservation work and other work of a public nature within the National Park System, the National Forest System, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) that much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults who would not otherwise be currently more productively employed while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title shall in no way limit the requirement set forth in the Employment Act of 1946 (15 U.S.C. 1021 et seq.) that the Federal Government promote maximum production and purchasing power in the Nation's economy. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determined by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

"(2) employ such individuals in such projects as but not limited to—

"(A) tree nursery operations, planting, pruning, thinning, and other cultural measures;

"(B) erosion control and flood damage;

"(C) wildlife habitat improvements;

"(D) range management improvements;

"(E) recreation development, rehabilitation, and maintenance;

"(F) forest insect disease control, road and trail improvements and wildlife preservation; and

"(G) general sanitation, cleanup, and maintenance of State and public lands;

"(3) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are relatively labor intensive;

"(B) have work plans or for which work plans could be readily developed;

"(C) may be initiated promptly; and

"(D) are productive;

"(4) to the maximum extent practicable employ such individuals in areas where existing residential facilities are available;

"(5) to the maximum extent practicable employ such individuals in activities similar to activities of those employed in seasonal and part-time employment, in the case of the Secretary of the Interior, in the National Park Service, Bureau of Outdoor Recreation, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Bureau of Land Management, and the Bureau of Indian Affairs, and, in the case of the Secretary of Agriculture, in the Forest Service and the Soil Conservation Service, respectively; and

"(6) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall the resulting rates be set at less than the current Federal minimum wage, set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938.

"(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104 (a) (and such employment may include employment on projects which assist the selective cutting and thinning of timber on such lands for essential fuel purposes). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted—

"(1) (A) shall have attained age nineteen but not attained age twenty-four, or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determined by the Secretary of Labor;

"(4) be employed for a total period of not more than twelve months, with such maximum employment consisting of one continuous twelve-month period or of two or more periods which together total twelve months; and

"(5) shall be paid at the rate set under section 203 (a) (3).

"(b) Thirty per centum of the sums appropriated to carry out this title for any fiscal year or for the period beginning July 1, 1976, and ending September 30, 1976, shall be made available for grants under this section for such fiscal year or for such period, respectively.

"(c) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203 (b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress reports detailing the activities carried out under this title. The first such report, covering the period from the date of enactment of this title until September 30, 1976, shall be submitted not later than January 1, 1977, and reports covering fiscal years ending on September 30, 1977, September 30, 1978, September 30, 1979, and September 30, 1980, shall be submitted not later than January 1, 1978, January 1, 1979, January 1, 1980, and January 1, 1981, respectively.

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending on March 1, 1977, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the extended Corps, a list and description of the work projects initially selected by the Secretaries for the extended Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the extended Corps under this title. In preparing such plan, the Secretaries shall plan for a capacity of the extended Corps to employ one hundred thousand young adults under this title during its first fiscal year of operation, two hundred thousand young adults during its second fiscal year of operation, and three hundred thousand young adults during its third fiscal year of operation. In selecting work projects for the extended Corps, the Secretaries shall give priority to reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods. In selecting facilities for Corps work camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible.

"(b) No young adults shall be employed in the extended Corps under section 202 and no grants shall be made to the States under the extended grant program of section 204(a) until June 1, 1977.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) on March 1, 1977. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan, $50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated to the Secretaries for carrying out this title $700,000,000 for the first fiscal year during which young adults are employed under this title, $2,100,000,000 for the second fiscal year during which such young adults are so employed. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

INCREASED AUTHORIZATIONS OF APPROPRIATIONS

SEC. 233. Section 6 of the Youth Conservation Corps Act is amended by striking out "$60,000,000" and inserting in lieu thereof "$90,000,000".

TECHNICAL AMENDMENTS

SEC. 234. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 and 106, respectively;

(3) striking out "section 6" in section 104(d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106";

(4) striking out "Act" each place it appears in

sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title"; and

(5) adding after section 106 (as redesignated by clause 2 of this section) the following new section:

"SHORT TITLE

"Sec. 107. This title may be cited as the 'Youth Conservation Corps Act' ".

Part C—General Provisions

PAYMENTS

Sec. 251. (a) The Secretary is authorized to pay any eligible applicant having an application approved pursuant to this title for that fiscal year the amount necessary to carry out such application as determined by him.

(b) Payments under this title may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

ADMINISTRATIVE PROVISIONS

Sec. 252. (a) In carrying out his functions under this title the Secretary is authorized to—

(1) prescribe such regulations as he deems necessary;

(2) receive money and other property donated, bequeathed, or devised, without condition or restriction other than it be used for the purposes of this title; and to

use, sell, or otherwise dispose of such property for the purpose of carrying out the purposes of this title;

(3) receive, and use, sell, or otherwise dispose of, in accordance with paragraph (2), money or other property donated, bequeathed, devised to the Department with a conditional restriction, including the condition that the Secretary use other funds available to him for the purposes of the gift;

(4) appoint and fix the compensation of such personnel as may be necessary;

(5) obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5;

(6) accept and utilize the services of voluntary and noncompensated personnel and reimburse them for travel expenses, including per diem, as authorized by section 5703 of title 5, United States Code;

(7) enter into contracts, grants, or other arrangements or modifications thereof to carry out the provisions of this Act and such contracts or modifications thereof may be entered into without performance or other bonds and without regard to section 3709 of the Revised Statutes (41 U.S.C. 5) or any other provision of law relating to competitive bidding; and

(8) make such other expenses as he deems necessary.

(b) The Secretary shall submit to the Congress and to the President as part of the annual report of the Department, a report on his activities under this title, including a detailed statement of the number and types of community service jobs furnished to youths under part A of this title, and such recommendations, together with recommendations for legislation, as the Secretary deems advisable.

COMPENSATION OF THE DIRECTOR

SEC. 253. Section 5316 of title V, United States Code, is amended by adding at the end thereof the following new paragraph:

"(137) Director, the Youth Employment Agency, Department of Labor.".

WITHHOLDING OF GRANTS

SEC. 254. The Secretary is authorized to withhold funds otherwise payable under this title, but only in order to recover any amounts expended in the current or immediately prior fiscal year in violation of any provision of this title or any term or condition of assistance under this title.

REVIEW AND AUDIT

SEC. 255. The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination, to any books, documents, papers, and records of a grant or contract entered into under this title that are pertinent to that grant or contract.

AUTHORIZATION OF APPROPRIATIONS

SEC. 256. There are authorized to be appropriated $700,000,000 for the fiscal year 1978, $2,100,000,000 for the fiscal year 1979 to carry out the provisions of title II of this Act.

95TH CONGRESS
1ST SESSION

S. 1

A BILL

To establish improved policies and programs for the immediate reduction of unemployment and to provide for the improvement of employment opportunities for youth in America, and for other purposes.

By Mr. MATHIAS

JANUARY 10, 1977

Read twice and referred to the Committee on Labor and Public Welfare

CE

95th CONGRESS
1st Session

S. 40

IN THE SENATE OF THE UNITED STATES

January 10, 1977

Mr. Helms introduced the following bill; which was read twice and referred to the Committees on the Budget, Banking, Housing and Urban Affairs, and Labor and Public Welfare jointly by unanimous consent

---

A BILL

To provide for high levels of employment, stable prices and economic growth by reform of Federal economic policy, revision of congressional spending practices, stabilization of the United States monetary system, the limitation of artificial barriers to employment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act and the following table of contents may be cited as the "Job Opportunities and Economic Reform Act of 1977".

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Sec. 102. Declaration of policy.

TITLE II—BALANCED BUDGETS AND ECONOMIC STABILITY

Sec. 201. Congressional findings and declaration of policy.
Sec. 202. Congressional Budget Act amendments to reduce deficits.
Sec. 203. Congressional Budget Act amendments to balance budget.
Sec. 204. Emergency provisions.

TITLE III—SOUND CURRENCY

Sec. 301. Congressional findings and declaration of policy.
Sec. 302. United States Treasury sale and purchase of gold.
Sec. 303. Adjustments in sale and purchase prices of gold.
Sec. 304. Extension of transition period.

TITLE IV—FEDERAL COMMISSION ON BARRIERS TO EMPLOYMENT

Sec. 401. Appointment of Commission.
Sec. 402. Definitions and parameters of study.
Sec. 403. Sources of information.
Sec. 404. Congressional reports.
Sec. 405. Compensation of Commission members.
Sec. 406. Administrative provisions.
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GENERAL FINDINGS

SEC. 2. (a) The Congress finds that the Nation has suffered substantial economic disruption including inflation, unemployment and underemployment, the underutilization of productive capacity and the misallocation of resources, over prolonged periods of time, imposing numerous economic and social costs. Such costs include the following:

(1) The monetary system has ceased to serve as a standard of value.

(2) Individual income taxes have increased faster than real income.

(3) The disadvantaged and the elderly and those on fixed incomes are deprived of purchasing power.

(4) The Nation is deprived of the full supply of goods and services, the full utilization of labor and capital resources, and the related increase in individual income and well-being that would exist under stable economic conditions.

(5) Insufficient production is available to meet pressing national priorities.

(6) Workers are deprived of job security, income, skill development, and productivity necessary to maintain and advance their standards of living.

(7) Business and industry are deprived of a stable economic environment and consequently have lost production, sales, capital flow, and productivity necessary to maintain adequate profits, create jobs, and contribute to meeting society's economic needs.

(8) The Nation's citizens are exposed to social costs and traumas, including disruption of family life, loss of individual dignity and self-respect, drug addiction, crime and social conflict.

(9) Federal, State, and local government activity is disrupted as Government revenues decline in periods of economic contraction.

(b) The Congress further finds that—

(1) inflation increases unemployment by reducing

the confidence of the consumer in the economy, it disrupts the individual's and businessman's ability to predict economic activity, and inflation thus reduces the productivity of capital, and tends to increase demands for remedies such as wage and price controls, restrictions on international commerce, subsidy programs, allocations, and economic regulations which tend to reduce the market's ability to economically allocate resources and adjust to the inflation, thus, increasing the costs of inflationary disruption to the entire economy;

(2) although a stable, noninflationary economic growth is impossible without proper monetary and fiscal policies, high levels of employment, the maximum rate of economic growth, and increased per capita income cannot be achieved without concerted efforts to reduce private and public barriers to job and capital markets, and such barriers have not been lowered, in part because this goal has not been established and implemented by the President and the Congress;

(3) Federal deficits result in economic disruption and impose great costs on the American people and the Nation's economy by providing incentives for the Federal Reserve System to increase the money supply, and by displacing private investment by causing interest rates to be higher than those which would otherwise prevail;

(4) the Federal Reserve Board, when it creates money to finance Federal deficits, debases the currency resulting in inflation and its concomitant dislocations;

(5) inflation, thus used to finance Federal expenditures, places inequitable burdens on Americans and, further, disrupts productive enterprise so as to reduce the real and potential output of the Nation's economy, thus reducing the average income of all Americans;

(6) when money is created to finance Federal deficits, the full effects of inflation are felt throughout the economy a considerable period of time after the deficits occur, thus giving rise to public misinterpretations of the real cause of inflation; and

(7) a sound and effective program for the Nation's economic well-being should be based on minimum Government interference in the economy.

TITLE I—ESTABLISHMENT OF GOALS AND GENERAL ECONOMIC POLICIES

STATEMENT OF PURPOSE

SEC. 101. It is the purpose of this Act to provide a stable economic environment under which individuals and groups can act with maximum freedom, to minimize disruptive Government intervention in the economy, to provide a framework for a sound and fiscal policy and to provide for a monetary system exemplified by stable values and minimum fluctuations.

DECLARATION OF POLICY

SEC. 102. Section 2 of the Employment Act of 1946 is amended to read as follows:

DECLARATION OF POLICY

"SEC. 2. (a) The Congress declares that it is the continuing policy and responsibility of the Federal Government to avoid and reduce whenever possible intervention in the economy, recognizing that fiscal and monetary policies when used for purposes of regulating the economy tend to be counterproductive, and that the absence of such intervention tends to foster and promote free competitive enterprise; the general welfare; conditions which promote balanced growth; and useful employment opportunities, including self-employment, for those able, willing, and seeking to work and to foster and promote high levels of employment, increased production, and increased standards of living for all.

"(b) The Congress declares that all adult Americans able, willing, and seeking work should not be restricted from obtaining jobs because of Government regulations which impede the freedom of employee and employer to enter into mutually satisfactory agreements.

"(c) The Congress further declares that inflation results and has resulted from the creation of excessive quantities of money by the Federal Reserve System in its attempts to control interest rates, minimize the adverse effects of fiscal policy, and generally regulate the Nation's economy; and that such efforts have caused greater disruption and resulted in greater costs to the Nation than the conditions those efforts are intended to remedy.".

TITLE II—BALANCED BUDGETS AND ECONOMIC STABILITY

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

SEC. 201. The Congress finds and declares that—

(1) the American economy has been adversely affected by Federal deficits which have resulted in inflation, misallocation of resources, and other hardships caused by economic instability, and in the imposition of inequitable burdens on individuals for the cost of Federal programs;

(2) the Federal Government must balance its revenues with outlays to avoid disruptive effects on the economy; and

(3) the chief responsibility for determining Federal revenues and outlays rests with the Congress in accordance with article I of the Constitution.

CONGRESSIONAL BUDGET ACT AMENDMENTS TO REDUCE DEFICITS

SEC. 202. (a) Section 301(a) of the Congressional Budget Act of 1974 is amended by adding at the end thereof the following new sentence: "For the fiscal year beginning on October 1, 1977, the appropriate level of total budget outlays shall not exceed the recommended level of Federal revenues by more than 7 percent; for the fiscal year beginning on October 1, 1978, the appropriate level of total budget outlays shall not exceed the recommended level of Federal revenues by more than 4 percent; and for the fiscal year beginning on October 1, 1979, and each fiscal year thereafter, the appropriate level of total budget outlays shall not exceed the recommended level of Federal revenues.".

(b) Section 304 of such Act is amended by adding at the end thereof the following new sentence: "No such concurrent resolution on the budget shall set forth an appropriate level of total budget outlays which exceeds the amount permissible under the last sentence of section 301 (a).".

(c) Section 310 (a) of such Act is amended by inserting after the first sentence thereof the following new sentence: "No such concurrent resolution on the budget shall set forth an appropriate level of total budget outlays which exceeds the amount permissible under the last sentence of section 301 (a).".

CONGRESSIONAL BUDGET ACT AMENDMENTS TO BALANCE BUDGET

SEC. 203. Effective with respect to the fiscal year beginning on October 1, 1979, and succeeding fiscal years—

(1) section 301 (a) (3) of the Congressional Budget Act of 1974 is amended by striking out "or the deficit";

(2) section 301 (a) (5) of such Act is amended by striking out "increased or";

(3) section 301 (d) (6) of such Act is amended by striking out "or deficit";

(4) section 303 (a) (3) of such Act is amended by striking out "an increase or" and inserting in lieu thereof "a"; and

(5) section 202 (f) (1) of such Act is amended by striking out "and deficits".

EMERGENCY PROVISIONS

SEC. 204. The provisions of section 904 of the Congressional Budget Act of 1974 shall apply with respect to amendments made by sections 202 and 203 (other than the amendment made by section 203 (5)) of this Act.

TITLE III—SOUND CURRENCY

CONGRESSIONAL FINDINGS AND DECLARATION OF POLICY

SEC. 301. The Congress finds and declares that—

(1) without a sound monetary system, the United States will suffer economic, political, and social consequences of unacceptable severity;

(2) the present monetary system has led to abuse

and has resulted in inflation, economic instability, and unemployment;

(3) a sound money system cannot be dependent on the individual judgments of small numbers of individuals;

(4) a sound money system must have the trust and support of the American people;

(5) the American people view inflation as the single most important problem facing our Nation; and

(6) money redeemable in gold meets the vital needs of the United States in the foreseeable future.

UNITED STATES TREASURY SALE AND PURCHASE OF GOLD

SEC. 302. During the fiscal year beginning on October 1, 1980, the Secretary of the Treasury shall offer for sale gold from United States gold stocks at the price of $185 per troy ounce (hereinafter referred to as the "selling price"), and shall purchase such gold of equivalent fineness as shall be offered at the price of $85 per troy ounce (hereinafter referred to as the "purchase price").

ADJUSTMENTS IN SALE AND PURCHASE PRICES OF GOLD

SEC. 303. (a) During each of the fiscal years beginning on October 1, 1981, 1982, 1983, and 1984, the Secretary of the Treasury shall offer to sell and purchase gold at selling and purchase prices successively adjusted in accordance with subsection (b).

(b) (1) The selling price during each such fiscal year shall be determined as the selling price during the most recent fiscal year during which purchases and sales under this title were made, reduced by the product of $25 and a fraction, the numerator of which is the difference between the world market price (determined under subsection (c)) and the selling price which was in effect during the most recent fiscal year during which purchases and sales under this title were made, and the denominator of which is the difference between the selling price and the purchase price, as in effect during that most recent fiscal year.

(2) The purchase price during such fiscal year shall be determined as the purchase price during the most recent fiscal year during which purchases and sales under this title were made, plus the product of $25 and a fraction, the numerator of which is the difference between the world market price (determined under subsection (c)) and the purchase price during the most recent fiscal year during which purchases and sales under this title were made, and the denominator of which is the difference between the selling price and the purchase price, as in effect during the most recent fiscal year.

(c) The world market price shall be determined by the Secretary of the Treasury as the average market price of gold at major international markets (1) during the ten-month period beginning on October 1, 1980, for fiscal year 1981, and (2) during the twelve-month periods beginning on August 1, 1981, 1982, and 1983, for the fiscal years beginning on October 1, 1982, 1983, and 1984, respectively.

EXTENSION OF TRANSITION PERIOD

SEC. 304. Notwithstanding any other provision of this title, the President may extend for not to exceed one year any purchase price or selling price established in under section 302 or 303—

(1) if he determined that the market price of gold has been manipulated in order to affect the actions of the Secretary of the Treasury under this title,

(2) if he reports such determination to the Congress, and

(3) if neither the Senate nor the House of Representatives agrees, within thirty days after receipt of the report, to a resolution stating in substance that the purchase price or selling price as established under the provisions of this title should be put into effect.

TITLE IV—FEDERAL COMMISSION ON BARRIERS TO EMPLOYMENT

APPOINTMENT OF COMMISSION

SEC. 401. (a) There is established a Federal Commission on Barriers to Employment (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members, to be appointed by the President, by and with the advice and consent of the Senate, one of whom shall be designated by the President at the time of appointment to serve as Chairman of the Commission.

DEFINITIONS AND PARAMETERS OF STUDY

SEC. 402. The Commission shall undertake a comprehensive study and investigation of the costs of various barriers to the employment of individuals to businesses, to the economy, and to the Government. For the purpose of its study, the Commission shall treat any law, regulation, or judicial decree or consent agreement which prevents or tends to prevent individuals or businesses from offering or filling positions of employment, as barriers to employment.

SOURCES OF INFORMATION

SEC. 403. In carrying out its study, the Commission shall solicit and receive information on barriers to employment from private organizations, individuals, and Government agencies.

CONGRESSIONAL REPORTS

SEC. 404. The Commission shall report to the Congress at least semiannually on the following matters:

(1) Government incentives to individuals to stay out of job markets;

(2) laws or regulations which increase the cost of

starting a business enterprise and thereby reduce job opportunities;

(3) laws or regulations which increase the cost of expanding business enterprises, thereby reducing employment opportunities;

(4) laws or regulations which increase the cost of operating or maintaining a business enterprise, thereby reducing job opportunities;

(5) provisions contained in the Internal Revenue Code of 1954 which have an influence on or which constitute a determining factor with respect to business practices affecting employment; and

(6) laws or regulations which confer special rights or powers to any group or individual thereby enabling that group or individual to reduce or restrict employment opportunities.

COMPENSATION OF COMMISSION MEMBERS

SEC. 405. (a) Members of the Commission who are Members of Congress or full-time officers or employees of the United States shall serve without additional compensation, but shall be reimbursed for travel, subsistence, and other necessary expenses incurred in the performance of the duties vested in the Commission.

(b) Members of the Commission, other than those referred to in subsection (a), shall receive compensation at the rate of $100 per day for each day they are engaged in the actual performance of the duties vested in the Commission and shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of such duties.

ADMINISTRATIVE PROVISIONS

SEC. 406. (a) The Commission shall have the power to appoint and fix the compensation of such personnel as it deems advisable, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule under section 5332 of such title.

(b) The Commission may procure, in accordance with the provisions of section 3109 of title 5, United States Code, the temporary or intermittent services of experts or consultants. Persons so employed shall receive compensation at a rate to be fixed by the Commission but not in excess of $100 per day, including traveltime. While away from his or her home or regular place of business in the performance of services for the Commission, any such person may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(c) Each department, agency, and instrumentality of the United States is authorized to furnish to the Commission, upon request made by the Chairman, on a reimbursable basis or otherwise, such statistical data, reports, and other information as the Commission deems necessary to carry out its functions under this Act.

(d) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this Act, hold hearings, take testimony, and administer oaths or affirmations to witnesses appearing before the Commission or any subcommittee or member thereof.

AUTHORIZATION

SEC. 407. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

95TH CONGRESS
1ST SESSION

S. 40

A BILL

To provide for high levels of employment, stable prices and economic growth by reform of Federal economic policy, revision of congressional spending practices, stabilization of the United States monetary system, the limitation of artificial barriers to employment, and for other purposes.

By Mr. HELMS

JANUARY 10, 1977

Referred to the Committees on the Budget, Banking, Housing and Urban Affairs, and Labor and Public Welfare jointly by unanimous consent

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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95TH CONGRESS
1ST SESSION

S. 50

IN THE SENATE OF THE UNITED STATES

JANUARY 10, 1977

Mr. HUMPHREY (for himself, Mr. ANDERSON, Mr. CASE, Mr. JACKSON, Mr. KENNEDY, Mr. MCGOVERN, Mr. MATSUNAGA, Mr. SARBANES, and Mr. WILLIAMS) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare by unanimous consent and, if and when reported, then to the Committee on Banking, Housing and Urban Affairs for not to exceed 60 days

---

A BILL

To establish and translate into practical reality the right of all adult Americans able, willing, and seeking to work to full opportunity for useful paid employment at fair rates of compensation; to combine full employment, production, and purchasing power goals with proper attention to balanced growth and national priorities; to mandate such national economic policies and programs as are necessary to achieve full employment, production, and purchasing power; to restrain inflation; and to provide explicit machinery for the development and implementation of such economic policies and programs, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act and the following table of contents may be cited as the "Full Employment and Balanced Growth Act of 1977":

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TITLE II—COUNTERCYCLICAL REGIONAL, STRUCTURAL, AND YOUTH EMPLOYMENT POLICIES

Sec. 201. Statement of purpose.
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Sec. 203. Coordination with State and local government and private sector economic activity.
Sec. 204. Regional and structural employment policies.
Sec. 205. Youth employment policies.
Sec. 206. Full Employment Office and reservoirs of employment projects.
Sec. 207. Income maintenance and full employment policies.

TITLE III—POLICIES AND PROCEDURES FOR CONGRESSIONAL REVIEW

Sec. 301. Statement of purpose.
Sec. 302. General Congressional review.
Sec. 303. Congressional review of economic goals in President's Economic Report.
Sec. 304. Congressional review of Full Employment and Balanced Growth Plan.
Sec. 305. Division of Full Employment and Balanced Growth.
Sec. 306. Exercise of rulemaking powers.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Nondiscrimination.
Sec. 402. Labor standards.
Sec. 403. Authorizations.
Sec. 404. Definitions.

GENERAL FINDINGS

SEC. 2. (a) The Congress finds that the Nation has suffered substantial and increasing unemployment and underemployment, over prolonged periods of time, imposing numerous economic and social costs. Such costs include the following:

(1) The Nation is deprived of the full supply of goods and services, the full utilization of labor and capital resources, and the related increase in individual income and well-being that would exist under conditions of genuine full employment.

(2) Insufficient production is available to meet pressing national priorities.

(3) Workers are deprived of the job security, income, skill development, and productivity necessary to maintain and advance their standards of living.

(4) Business and industry are deprived of the production, sales, capital flow, and productivity necessary to maintain adequate profits, create jobs, and contribute to meeting society's economic needs.

(5) The Nation is exposed to social, psychological, and physiological costs and traumas, including disruption of family life, loss of individual dignity and self-respect, and the proliferation of physical and psychological illnesses, drug addiction, crime, and social conflict.

(6) Federal, State, and local government economic activity is undermined as government budget deficits occur because tax revenues fall and expenditures rise for unemployment compensation, public assistance, and

other recession-related services in the areas of criminal justice, drug addiction, and physical and mental health.

(b) The Congress further finds:

(1) High unemployment often increases inflation by diminishing labor training and skills, underutilizing capital resources, reducing the rate of productivity advance, increasing unit labor costs, reducing the general supply of goods and services and thereby generating cost-push inflation. In addition, modern inflation has been due in large measure to errors in national economic policy, including erratic monetary policy, inadequate energy and food policies, and ineffective policies to maintain competition in the private sector.

(2) Although necessary for sound economic policy, aggregate monetary and fiscal policies are inadequate by themselves to achieve full employment production and to restrain inflation. Such policies must be supplemented by more direct private and public measures to create employment and reduce inflation.

(3) Genuine full employment has not been achieved, in part, because explicit short- and long-term national economic goals and priorities have not been

established by the President, the Congress, and the Federal Reserve. Moreover, public and private economic policies have not been organized and coordinated to achieve national goals and priorities.

(4) Increasing job opportunities and full employment make a major contribution to the abolition of discrimination based upon sex, age, race, color, religion, national origin, and other improper factors.

(c) The Congress further finds that an effective full employment and balanced growth policy should (1) be based on the development of explicit economic goals and policies involving the President, the Congress, and the Federal Reserve, as well as State and local governments, with full use of the resources and ingenuity of the private sector of the economy, and (2) include programs specifically designed to reduce high unemployment due to recessions, and to reduce structural unemployment within regional areas and among particular labor force groups.

(d) The Congress further finds that full employment and balanced growth are important national requirements that will promote the economic security and well-being of all our citizens.

TITLE I—ESTABLISHMENT OF GOALS, PLANNING, AND GENERAL ECONOMIC POLICIES

STATEMENT OF PURPOSE

SEC. 101. It is the purpose of this title to declare the general policies of this Act, to provide an open process under which annual economic goals are proposed, reviewed, and established, to provide for the development of a long-range Full Employment and Balanced Growth Plan, to provide for economy in government measures, to ensure that monetary, fiscal, anti-inflation, and general economic policies are used to achieve the annual economic goals and support the goals and priorities of the Full Employment and Balanced Growth Plan, and generally to strengthen and supplement the purposes and policies of the Employment Act of 1946.

DECLARATION OF POLICY

SEC. 102. (a) Section 2 of the Employment Act of 1946 (15 U.S.C. 1021) is amended to read as follows:

"DECLARATION OF POLICY

"SEC. 2. (a) The Congress hereby declares that it is the continuing policy and responsibility of the Federal Government to use all practicable means, consistent with its needs and obligations and other essential national policies, with the assistance and cooperation of industry, agriculture, labor, and State and local governments, to coordinate and utilize all its plans, functions, and resources for the purpose of creating and maintaining, in a manner calculated to foster and promote free competitive enterprise and the general welfare, conditions which promote balanced growth and useful employment opportunities, including self-employment, for those able, willing, and seeking to work, and to promote full employment, production, and purchasing power.

"(b) The Congress declares and establishes the right of all adult Americans (sixteen years of age or older) able, willing, and seeking work to opportunities for useful paid employment at fair rates of compensation.

"(c) The Congress further declares that inflation is a major national problem requiring improved government policies relating to food, energy, improved fiscal and monetary management, economy in government, the reform of outmoded government rules and regulations, the correction of structural defects in the economy that prevent or seriously impede competition in private markets, and other measures.

"(d) The Congress further declares that it is the purpose of the Full Employment and Balanced Growth Act of 1977 to coordinate, integrate, and improve the policies and programs of the Federal Government, toward achievement of the objectives of such Act through better management, increased efficiency, and attention to long-range as well as short-range problems. Although it is the purpose under the Act to seek diligently and to encourage the voluntary cooperation of the private sector of the economy in helping to achieve the objectives of the Act, no provisions of the Act are intended nor shall be used, with respect to any portion of the private sector of the economy, to provide for Government control of production or employment or allocations of resources, except to the extent authorized under other legislation.

"(e) The Congress further declares that it is the purpose of the Full Employment and Balanced Growth Act of 1977 to maximize and place primary emphasis upon the expansion of private employment, and all programs and policies under the Act shall be in accord with this purpose. In moving toward the goals for reduction of unemployment, the objective shall be to maintain trends in the ratio of private employment to civilian public employment similar to those from 1947 to the time of enactment of the Full Employment and Balanced Growth Act of 1977, which would mean a numerical growth in private employment several times as large as the numerical growth in civilian public employment. Toward this end, the effort to expand jobs to the full employment level shall be in this order of priority: (a) expansion of conventional private jobs through improved use of fiscal and monetary policies and other policies made available under the Full Employment and Balanced Growth Act of 1977; (b) expansion of private employment requiring Federal assistance in connection with some of the priority programs specified in such Act; (c) expansion of public employment under other programs specified in such Act, not including the reservoir projects under section 206 of such Act; and (d) only as a last resort under section 206 of such Act and subject to the limitations therein, the creation of reservoirs of public and private nonprofit employment projects.".

ECONOMIC GOALS AND THE ECONOMIC REPORT OF THE PRESIDENT

SEC. 103. Section 3(a) of the Employment Act of 1946 is amended to read as follows:

"SEC. 3. (a) The President shall transmit to the Congress not later than January 20 of each year an economic report (hereinafter called the 'Economic Report') setting forth for each year—

"(1) current and forseeable trends in the levels of employment, production, and purchasing power and a review and analysis of economic conditions affecting these economic trends in the United States;

"(2) annual numerical goals for employment, production, and purchasing power that are designed to achieve balanced growth and full employment of the Nation's human and capital resources as promptly as possible;

“(3) a numerical long-term full employment goal which is (A) consistent with the minimum level of frictional unemployment necessary for efficient job search and mobility in the labor force, and (B) consistent with the aggregate long-term economic goals and priorities set forth in the Full Employment and Balanced Growth Plan required under section 3A; and

“(4) the programs and policies for carrying out the policy declared in section 2 of this Act, as well as the numerical economic goals of paragraph (2) of this subsection, together with such recommendations for legislation as the President deems necessary or desirable in order to achieve full employment and balanced growth as promptly as possible.”.

FULL EMPLOYMENT AND BALANCED GROWTH PLAN

SEC. 104. The Employment Act of 1946 is amended by adding after section 3 the following new section:

“FULL EMPLOYMENT AND BALANCED GROWTH PLAN

“SEC. 3A. (a) In conjunction with the first Economic Report after enactment of this section, or within ninety days after the enactment of this section, whichever may come earlier, and thereafter in conjunction with each annual Economic Report, the President shall transmit to the Congress a proposed Full Employment and Balanced Growth Plan, prepared with the assistance of the Council of Economic Advisers, and in consultation with the Office of Management and Budget. The Plan shall propose, in quantitative and qualitative terms, and for the number of years feasible, long-term national goals related to full employment, production, purchasing power, and other essential priority purposes, and the major policies and programs, including recommendations for legislation, to achieve such goals and priorities. In developing the goals, the President shall take into account the level and composition of each factor needed to maintain economic balance and full resource use and to meet priority needs.

"(b) The Full Employment and Balanced Growth Plan shall set forth the foreseeable trends in economic and social conditions, provide estimates of the unmet economic and social needs of the Nation, and identify the human, capital, and national resources available and needed for the achievement of the economic and related social goals and priorities established in the Full Employment and Balanced Growth Plan.

"(c) The Full Employment and Balanced Growth Plan shall contain long-term economic goals as follows—

"(1) full employment goals set at the number of jobs to be provided for adult Americans in order to reduce unemployment to the minimum level of frictional unemployment consistent with efficient job search and labor mobility;

"(2) full production goals set at the levels of output estimated to be yielded by achievement of the full employment goals as defined above, with expected improvements in productivity; and

"(3) full purchasing power goals set at levels estimated to be necessary for attaining and maintaining full employment and production while contributing to an equitable distribution of purchasing power.

"(d) (1) In carrying out the provisions of paragraph (1) of subsection (c), the full employment goal shall be consistent with a rate of unemployment not in excess of 3 per centum of adult Americans twenty years of age or older in the civilian labor force, to be attained as promptly as possible, but within not more than four years after the enactment of the Full Employment and Balanced Growth Act of 1977. Concurrently with this, the objective shall be to reduce unemployment among those aged 16 through 19 as rapidly as feasible, including reduction of the ratio of the rate of unemployment among teenagers to the rate of unemployment among those twenty years of age and older as rapidly as feasible. Toward the reduction of unemployment among teenagers, there shall be full utilization of section 205 of the Full Employment and Balanced Growth Act of 1977, and utilization of other provisions of that Act to the extent relevant. In addition, the President shall from time to time make such other recommendations to the Congress as he or she deems desirable to facilitate the reduction of unemployment among teenagers.

"(2) In achieving the goals set forth in subsection (c), the President shall include the objective of holding the annual rate of consumer and other price increases to levels consistent with reasonable price stability. To accomplish this objective, the President shall take full advantage of the specific structural programs called for in title II of the Full Employment and Balanced Growth Act of 1977, which promote the achievement of the full employment goal established in paragraph 1 of subsection (c) without excessive price increases. In selecting appropriate policies and programs for achieving full employment, the President shall have the objective of preventing a rise in the annual rate of consumer and other price increases above such rates on the date of enactment of this Act. Achievement of reasonable price stability shall be sought through the methods set forth in section 107 and elsewhere in the Full Employment and Balanced Growth Act of 1977, and shall not be sought through any weakening of the goals and timetable relating to reduction of unemployment.

"(3) Within one year of the date of enactment of the Full Employment and Balanced Growth Act of 1977, the President shall review the full employment goals and timetable required by this section and report to Congress on any obstacles to their achievement, and, if necessary, propose corrective economic measures to insure that the full employment goals are achieved.

"Priorities, Policies, and Programs

"(e) To contribute to the achievement of the general economic goals established in sections 3 (a) (2) and 3A (c) of this Act, the Full Employment and Balanced Growth Plan shall propose priority policies and programs that comprise a full employment program that provides productive nonwasteful jobs and that reorder national priorities and employ the jobless in the production of goods and services which add to the strength of the economy, the wealth of the Nation, and the well-being of the people. Such policies and programs shall not be set forth in the programmatic detail developed by specialized Federal agencies, and by others in the public and private sectors, but only sufficiently to furnish an integrated perspective of our needs and capabilities and as a long-run guide to optimum private, Federal, State, and local government action. Priority policies and programs to support full employment and balanced growth shall initially include—

"(1) development of energy, transportation, small business, and environmental improvement policies and programs required for full employment and balanced economic growth, and required also to combat inflation by meeting full economic levels of demand;

"(2) development of policies and programs related to (a) food and fiber requirements for full employment and balanced growth and to help combat inflation, (b) the needed labor force and capital in agriculture to meet food and fiber requirements, (c) the income needs of farmers to encourage production of food and fiber in accord with the above requirements and moving farm families toward parity of income, this including recognizing the economically disadvantaged segments of the agricultural economy which suffer more from underemployment due to seasonal or disaster-related factors than unemployment, (d) measures to discourage the excessive migration of farm families to urban areas, including encouragement of supplementary nonfarm work and income for farm families, and (e) improved equalization of necessary public facilities and services for farm families with those provided for other families;

"(3) the quality and quantity of health care, education and training programs, child care and other human services, and housing, essential to a full economy and moving gradually toward adequacy for all at costs within their means;

"(4) Federal aid to State and local governments, especially for public investment and unemployment related costs;

"(5) national defense and other needed international programs; and

"(6) such other priority policies and programs as the President deems appropriate.

"(f) The President shall establish procedures to insure that members of the Cabinet, relevant regulatory agencies, other relevant officers of the executive branch, and the Chairman of the Advisory Committee on Full Employment and Balanced Growth have an opportunity to review and make recommendations to the President prior to his or her submission of the Full Employment and Balanced Growth Plan to the Congress. The annual reports of departments and agencies shall include reports on any actions and studies undertaken related to the implementation of the Full Employment and Balanced Growth Plan.

"(g) At the time of the submission of the proposed Full Employment and Balanced Growth Plan to the Congress, the President shall transmit copies of the Plan to the Governor of each State and to other appropriate State and local officials. Within sixty days after the submission to Congress of the proposed Full Employment and Balanced Growth Plan, the Governor of each State may submit to the Joint Economic Committee a report containing findings and recommendations with respect to the proposed Plan. Any such report submitted by a Governor shall include the views and comments of citizens within the State, after public hearings have been held within the State. A Governor may, if he or she so desires, submit at any time to the Joint Economic Committee such additional reports or information in respect to matters placed by this Act within the responsibility of the Joint Economic Committee as the Governor deems advisable."

ECONOMY IN GOVERNMENT

SEC. 105. (a) The Congress finds and declares that widespread duplication and contradiction among Federal departments and agencies, the failure to establish long-term priorities, lack of adequate information on the impact of Federal regulations and programs, and the lack of a process for developing more efficient alternatives for achieving the Nation's priorities are impeding the Federal Government in efficiently implementing full employment and balanced growth policies. The Congress further declares that genuine efficiency in Government requires time and planning. Accordingly, it is the purpose of this section to utilize the comprehensive planning framework established by section 104 to improve the efficiency and economy of the Federal Government.

(b) In carrying out this section, the President shall, in conjunction with the submission of each Full Employment and Balanced Growth Plan, submit proposals for improving the efficiency and economy of the Federal Government, including, but not necessarily limited to—

(1) a review of existing Government rules and regulations to determine if they still serve a public purpose and are properly designed; and

(2) an annual evaluation of 20 per centum of the dollar volume of existing Federal programs which are in effect each year, and the submission to Congress of a formal analysis of the economic and social impact and value of each program.

FISCAL AND MONETARY POLICIES

SEC. 106. (a) The Employment Act of 1946 is amended by inserting after section 3A, as added by this Act, the following new section:

"FISCAL AND MONETARY POLICIES

"SEC. 3B. (a) The President's Budget and Economic Report shall be consistent with the Full Employment and Balanced Growth Plan, and the Economic Report shall set forth for each year the following:

"(1) The level and composition of Federal expenditures, measured against estimated capabilities at full employment and production, necessary to support the annual economic goals proposed in section 3 and to support the Full Employment and Balanced Growth Plan, taking into account the role of the private sector and of State and local governments in supporting these purposes. The President shall also make a determination of the extent to which the use of aggregate fiscal and monetary policy, without the supplementary employment policies provided in the Full Employment and Balanced Growth Act of 1977, will achieve ~~the~~ production, employment, purchasing power, and priority goals required in sections 3 and 3A. Whenever the economy is operating at full production and employment, or subjected to excessive overall strain, the general principle to be followed is that priority expenditures established in section 3A (e) shall not in general be reduced, allowing for some variations for countercyclical purposes, so long as it is feasible to reduce relatively less important expenditures, or to resort to means set forth in paragraph (2) below.

"(2) Federal tax policy consistent with expenditure levels in paragraph (1) of this subsection necessary to (A) balance the Federal budget under conditions of full production, employment, and purchasing power, (B) restrain excessive economic activity and inflation when total demand threatens to exceed the Nation's capabilities at full employment, (C) avoid fiscal drag upon the economy during any periods of substantial economic slack, and (D) contribute to the needed level and distribution of purchasing power.

"(3) A monetary policy designed to assure such rate of growth in the Nation's money supply, such interest rates, and such credit availability, including policies of credit reform, allocation, and international capital flows as are conducive to achieving and maintaining the full employment, production, purchasing power, and priority goals specified in sections 3 and 3A.

"(b) The Board of Governors of the Federal Reserve System shall transmit to the President and the Congress, within fifteen days after the transmission of the Economic Report or the Full Employment and Balanced Growth Plan, whichever may come earlier, an independent statement setting forth its intended policies for the year ahead with respect to its functions, the extent to which these policies will support the achievement of the goals in section 3 and section 3A, and a full justification for any substantial variations from the President's goals and recommendations. If the President determines that the Board's policies are inconsistent with the achievement of the goals and policies proposed under this Act, the President shall make recommendations to the Board and to the Congress to insure closer conformity to the purposes of this Act."

ANTI-INFLATION POLICIES

SEC. 107. (a) Section 3 of the Employment Act of 1946 is amended by adding at the end thereof the following:

"(d) The Economic Report shall each year contain a comprehensive set of anti-inflation policies, including, but not necessarily limited to—

"(1) a comprehensive information system to monitor and analyze inflationary trends in individual economic sectors, including information on the international sector, so that the President and Congress can be alerted to developing inflation problems and bottlenecks;

"(2) the use of monetary and fiscal policy geared to the capabilities of the economy operating at full employment as provided in section 3B;

"(3) programs and policies in the Full Employment and Balanced Growth Plan for increasing the supply of goods, services, labor, and capital in structurally tight markets, with particular emphasis on increasing the supply of food and energy;

"(4) the establishment of stockpile reserves of food and other critical materials in order to meet emergencies such as floods and famines and to maintain reasonable price stability and adequate farm income;

"(5) encouragement to labor and management to increase productivity within the national framework of full employment through voluntary arrangements in industries and economic sectors;

"(6) recommendations to strengthen and enforce the antitrust laws and such other recommendations as are necessary to increase competition in the private sector; and

"(7) recommendations for administrative and legislative actions to promote reasonable price stability if situations develop that seriously threaten national price stability.

COUNCIL OF ECONOMIC ADVISERS

SEC. 108. (a) The second sentence of section 4(a) of the Employment Act of 1946 is amended by inserting "full" immediately after "promote".

(b) (1) Section 4(c)(1) of such Act is amended by inserting immediately before the semicolon a comma and the following: "and the Full Employment and Balanced Growth Plan".

(2) Section 4(c)(4) of such Act is amended by inserting "full" immediately after "maintain".

(c) (1) Section 4(e)(1) of such Act is amended by inserting immediately before the semicolon a comma and the following: "and shall consult with the Advisory Committee established under section 6."

(2) Section 4(e) of such Act is amended by striking

out the period at the end of paragraph (2) and inserting in lieu thereof a semicolon, and by adding after such paragraph (2) the following:

"(3) In this connection, the Council is authorized and directed to seek and obtain the cooperation of the various executive and independent agencies in the development of specialized studies essential to its responsibilities."

ADVISORY COMMITTEE ON FULL EMPLOYMENT AND BALANCED GROWTH

SEC. 109. The Employment Act of 1946 is amended by adding at the end thereof the following new section:

"ADVISORY COMMITTEE ON FULL EMPLOYMENT AND BALANCED GROWTH

"SEC. 6. (a) To furnish advice and assistance to the Council of Economic Advisers in the preparation and review of the Economic Report and Full Employment and Balanced Growth Plan, there is established an Advisory Committee on Full Employment and Balanced Growth, which shall consist of—

"(1) four members appointed by the President;

"(2) four members appointed by the Speaker of the House of Representatives; and

"(3) four members appointed by the President pro tempore of the Senate.

"(b) The Committee shall elect a Chairman, and shall meet at the call of the Chairman, but not less than twice a year. The members of the Advisory Committee shall be appointed for terms of two years from among representatives of labor, industry, agriculture, consumers, and the public at large, who are especially competent by virtue of background and experience to furnish advice to the Council on the views and opinions of broad segments of the public on matters involved in the formulation and implementation of goals and policies for full employment and balanced growth.

"(c) Each member of the Advisory Committee shall be entitled to be compensated at a rate equal to the per diem equivalent of the rate for an individual occupying a position at level III of the Executive Schedule under section 5314 of title 5, United States Code, when engaged in the actual performance of his or her duties as such a member, and each member shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of his or her duties.

"(d) The Advisory Committee is authorized to establish regional, industry, and special advisory subcommittees to furnish advice and assistance to it. Each such subcommittee shall consist of at least one member of the Advisory Committee and shall be broadly representative of the particular region or industry, including business, labor, consumer interests, and other interested groups.

"(e) The Chairman of the Council of Economic Advisers shall furnish the Advisory Committee with such personnel, facilities, and services as he or she deems necessary to enable the Advisory Committee to perform its functions under this Act.".

TITLE II—COUNTERCYCLICAL, STRUCTURAL, AND YOUTH EMPLOYMENT POLICIES

STATEMENT OF PURPOSE

SEC. 201. It is the purpose of this title to establish supplementary employment policies to close the employment gap, if one should exist, between the levels of employment achieved through aggregate monetary and fiscal policy and the employment goals established in sections 3 and 3A of the Employment Act of 1946. Accordingly, this title establishes a system of comprehensive and flexible employment policies to create jobs in both the private and public sectors of the economy that encourages the optimum contribution of the private sector and State and local governments toward the achievement of the goals and purposes of this Act. These supplementary employment policies shall vary according to economic conditions and the other actions taken under this Act, but shall have the broad objective of reducing cyclical, structural, regional, and youth unemployment, and unemployment due to discrimination. It is also the purpose of this title to establish a Full Employment Office within the Department of Labor to use special means for training and providing employment for those people who are otherwise unable to find employment. It is the further purpose of this title to mandate improved integration of income maintenance programs and full employment policies.

COUNTERCYCLICAL EMPLOYMENT POLICIES

SEC. 202. (a) (1) The Congress finds and declares that—

(A) the Nation has been unprepared to promptly implement employment policies during periods of economic downturn and resultant high unemployment;

(B) existing policies are so diffused and fragmented at all levels of government that it has been impossible to implement a comprehensive countercyclical employment program in a coordinated manner; and

(C) the lack of a coherent, flexible, countercyclical employment policy reduces the prospects of the Nation solving economic and related social problems which threaten fundamental national interests and objectives, including those specified by this Act.

(2) It is the purpose of this section to require the development of a coherent and flexible countercyclical employment policy, creating jobs in both the private and public sectors that are valuable to States, local communities,

and the Nation, and thereby reducing employment gaps that may remain despite the appropriate implementation of other provisions of this Act.

(b) (1) To carry out the provisions of this section, the President shall within ninety days after the date of enactment of this Act transmit to the Congress a comprehensive proposal, together with such legislation as is necessary, which shall establish on a permanent basis the range of supplementary employment policies and programs necessary to reduce high unemployment arising from cyclical movements in the economy. The countercyclical action provided for in this section relates to periods of high unemployment, regardless of the stage of the business cycle.

(2) In establishing the component parts of such a comprehensive proposal, and making a determination of the role of each, the President should consider the following programmatic entities—

(A) countercyclical public service employment;

(B) accelerated public works, including the development of standby public works projects;

(C) State and local countercyclical grant programs as specified in section 203;

(D) the levels and duration of unemployment insurance;

(E) skill training in both the private and public sectors, both as a general remedy, and as a supplement to unemployment insurance;

(F) youth employment programs as specified in sector 205;

(G) a community development program to provide employment in activities of value to the States, local communities (including rural areas), and the Nation; and

(H) augmentation of other employment and manpower programs that would prove helpful in meeting high levels of unemployment from cyclical causes.

(c) To insure that the component parts of the countercyclical proposal establishes an integrated and flexible program, the President shall—

(1) utilize existing employment and training mechanisms as appropriate;

(2) provide for advance planning for countercyclical employment programs among the Federal Departments and agencies;

(3) provide for an automatic trigger or set of coordinated triggers that would implement the program during a period of rising unemployment, and phase out the program when unemployment is appropriately reduced;

(4) insure that allocation of employment assistance

takes into account the severity and geographic distribution of unemployment, and the special needs of the unemployment groups within the labor force;

(5) provide for a well balanced combination of job creation and related activities in both the private and public sectors of the economy; and

(6) incorporate effective transitional mechanisms to facilitate individuals assisted under programs developed pursuant to this section to return promptly to regular private and public employment as the economy recovers.

COORDINATION WITH STATE AND LOCAL GOVERNMENT AND PRIVATE SECTOR ECONOMIC ACTIVITY

SEC. 203. (a) As an integral part of the comprehensive countercyclical employment policies established under section 202, the President shall set forth programs and policies to facilitate harmonious economic action among the Federal Government, regions, States and localities and the private sector to promote the (1) achievement of the goals and priorities of this Act and the Employment Act of 1946, and (2) an economic environment in which State and local governments and private sector economic activity and employment will prosper and essential services will be maintained.

(b) As a primary effort to meet the requirements of this section, the President shall within ninety days after the date of enactment of this Act transmit to the Congress legislation creating a permanent grant program related to the stabilization and needed growth of State and local budgets. In formulating this proposal, the President shall endeavor to meet criteria that establish programs which are funded to take account of the fiscal needs and budget conditions of the respective States and localities and their own efforts, with accent upon the rates of unemployment in these respective States and localities.

REGIONAL AND STRUCTURAL EMPLOYMENT POLICIES

SEC. 204. (a) (1) The President shall within one hundred and eighty days after the date of enactment of this Act transmit to Congress a comprehensive regional and structural employment proposal, including such legislation as necessary, designed to reduce the chronic underutilization of human and capital resources in certain areas of the country and in groups within the labor force. In formulating the regional components of such a proposal, the President shall encourage private sector production and employment to locate within depressed regions, inner cities, and rural areas with substantial unemployment. The President's regional employment proposal shall also include an analysis of the extent to which Federal Government tax, expenditure, and employment policies have influenced the movement of people, jobs, and industry from chronic high unemployment regions and areas, and proposals designed to correct Federal policies that have an adverse economic impact upon such regions and areas.

(2) In formulating the structural components of such an employment program, the President shall utilize existing employment and training mechanisms and other existing programs, as appropriate, and such other measures as necessary.

(b) To further meet the requirements of this section, the President shall transmit to the Congress, within one hundred and eighty days after the date of enactment of this Act, legislation providing an institutional means designed to encourage (1) public and private investment in economically depressed regions, inner cities, economic sectors, and rural areas with substantial unemployment; and (2) provide an alternative source of capital funds for local and State governments to finance public facilities. In formulating the legislation required by this section, the President shall include provision for—

(1) long-term loans at rates of interest no higher than the average rate of long-term Treasury borrowings plus service costs;

(2) capitalization through public stock and bond subscriptions, stock purchases by the State governments,

local governments, and businesses that benefit from the program, and financial assistance from the Federal Government; and

(3) criteria setting priorities for assistance to State and local government and businesses, with special attention to areas with unemployment rates consistently and significantly in excess of the national average or otherwise suffering severe economic dislocation, to achieve the objective of increasing employment in such areas, and increasing total employment.

YOUTH EMPLOYMENT POLICIES

SEC. 205. (a) The Congress finds and declares that—

(1) serious unemployment and economic disadvantage exist among youths, this group constitutes a substantial portion of the Nation's unemployment, and this significantly contributes to crime, drug addiction, and other social and economic problems;

(2) many youths have special employment needs and problems which, if not promptly addressed, will substantially contribute to more severe unemployment problems in the long run;

(3) a significant number of youths in certain areas even in the best of economic circumstances do not have adequate access to employment opportunities providing effective entry into the labor force; and

(4) existing employment programs for youth are fragmented and inadequate, and the special needs and problems of youth unemployment require the development of a permanent, comprehensive youth employment program which will meet the job needs of youth.

(b) To meet the requirements of subsection (a), the President shall transmit to Congress within ninety days after the date of enactment of this Act legislation creating a comprehensive youth employment program, which—

(1) utilizes the resources and facilities of existing youth employment and training programs that are designed to provide job opportunities for youths,

(2) provides for other policies and programs necessary to provide employment for youths, and

(3) contributes to carrying out the policies of this Act and the Employment Act of 1946.

(c) In formulating such a program, the President shall include provisions designed to—

(1) fully coordinate youth employment activities with other employment and manpower programs;

(2) develop a smoother transition from school to work by fostering a more effective partnership between educational and employment institutions, such as businesses, employer associations, and labor unions;

(3) prepare disadvantaged and other youths with

employability handicaps for regular self-sustaining employment through education, training, medical services, counseling, and other support activities;

(4) develop realistic methods for combining training with work, including apprenticeship and on-the-job training in the private sector; and

(5) provide job opportunities for youths in a variety of tasks, including conservation, public service activities, inner city cleanup and rehabilitation, and other jobs of value to States, local communities, and the Nation.

FULL EMPLOYMENT OFFICE AND RESERVOIRS OF EMPLOYMENT PROJECTS

SEC. 206. (a) Further to promote achievement of full employment under this Act, the President, through the Secretary of Labor, shall develop policies, procedures, and programs to provide employment opportunities to adult Americans able, willing, and seeking to work but who, despite a serious effort to obtain employment, are unable to do so in the general economic environment, or through any of the other provisions of this Act.

(b) There is established within the Department of Labor a Full Employment Office to assist the Secretary of Labor in providing the employment opportunities required under subsection (a). Under the supervision of the Secretary of

Labor, the Office shall be phased in consistent with subsection (d) of this section.

(c) In meeting the responsibilities to provide job opportunities under subsection (a) and after full utilization of the Comprehensive Employment and Training Act of 1973, the Secretary of Labor shall, as appropriate—

(1) assure that counseling, training, and other support activities necessary to prepare persons willing and seeking work for employment is provided under the Comprehensive Employment and Training Act of 1973, including the use of section 110 of such Act when necessary; and

(2) refer persons able, willing, and seeking to work to job opportunities in the private and public sectors through the existing public employment placement facilities and through the United States Employment Service, including job opportunities in positions drawn from sections 202, 204, and 205 of this Act.

(d) Only to the extent that adult Americans able, willing, and seeking work are not provided with the private job opportunities which are the first and major purpose of this Act, nor provided with job opportunities under section 206(c) or through other programs under this Act, such opportunities shall be provided by the President through reservoirs of federally operated public employment projects and private nonprofit employment projects approved by the Secretary of Labor. Such projects shall not be put into operation less than two years after the enactment of this Act, nor without a finding by the President, transmitted to the Congress, that other means of employment are not yielding enough jobs to be consistent with attainment of the goals and timetable for the reduction of unemployment set forth in this Act. The Congress hereby establishes the policy that such projects shall be so designed as not to draw any workers from private employment to such reservoir projects. The jobs under such reservoir projects shall be useful and productive jobs. Nonetheless, such jobs shall be mainly in the lower ranges of skills and pay, and toward this end the number of reservoir jobs shall, to the extent practicable, be maximized in relationship to the appropriations provided for such jobs. The number and nature of such reservoirs of employment projects shall be determined in conjunction with the policies and programs of the Full Employment Office established under subsection (b) and the other job creation provisions of this Act. The provisions of this subsection shall be phased in by the President, in conjunction with the annual employment recommendations required under section 3 of the Employment Act of 1946, in order to achieve a rate of unemployment not in excess of 3 per centum as established by section 3A (d) of such Act, and to achieve the objective for the reduction of unemployment among teenagers as set forth in paragraph 1 subsection (d) of section 3A of the Employment Act of 1946.

(e) The Secretary, in carrying out the provisions of this section, shall establish such regulations as he or she deems necessary. Such regulations shall include provisions for—

(1) an initial determination by the Full Employment Office of the job seekers' ability to be employed at certain types and duration of work so that he or she may be appropriately referred to jobs, training, counseling, and other supportive service;

(2) compliance with the nondiscrimination provisions of this Act in accordance with section 401;

(3) such priority criteria as may be appropriate to establish the order in which persons able, willing, and seeking to work are provided jobs under this section, so that such persons who most need employment are given first consideration and, in determining the priority order, the Secretary shall consider such factors as duration of unemployment, number of people economically dependent upon any such person, expiration of unemployment insurance, household income, and any other factors essential to determining employment need;

(4) appropriate eligibility criteria to limit access to the program authorized under subsection (d), including but not limited to such criteria as household income, duration of unemployment (not less than eight weeks), and refusal to accept or hold a job other than a job under subsection (d) except for good cause as determined by the Secretary of Labor, including refusal to accept or hold a job subject to reference under subsection (c) paragraph (2), in order to seek a reservoir project job under subsection (d); and

(5) such administrative appeal procedures as may be appropriate to review the initial determination of the abilities of persons willing, able, and seeking to work under clause (1) of this subsection and the employment need and eligibility under clauses (3) and (4) of this subsection.

Compliance with the requirements of clause (4) of this subsection relating to a person's eligibility for assistance may be satisfied by an affidavit submitted by persons seeking assistance. If such person knowingly provides false information in any such affidavit, he or she shall be ineligible for any assistance under this section and shall, in addition, be subject to prosecution under section 1001 of title 18, United States Code.

INCOME MAINTENANCE AND FULL EMPLOYMENT POLICIES

SEC. 207. (a) Congress finds and declares that to achieve the goals of full employment and balanced growth it is essential that the employment policies prescribed by this Act and the Employment Act of 1946 give adequate attention to (1) providing quality jobs that improve the work environment, strengthen income and eliminate substandard earnings; (2) improving and integrating existing public and private income maintenance programs with the full employment policies of this Act and the Employment Act of 1946; and (3) substituting work for income maintenance to the maximum extent feasible, taking account of the need for adequate income maintenance among those who cannot be brought within the full employment policy.

(b) To meet the requirements of this section, the President shall within ninety days after the date of the enactment of this Act transmit to Congress a proposal, together with such legislation as is necessary, analyzing the relationship of income maintenance needs, existing income maintenance programs, and the full employment policies required by this Act and the Employment Act of 1946, and make recommendations on how the income maintenance and employment policies can be integrated to insure that employment is substituted for income maintenance to the maximum extent feasible.

TITLE III—POLICIES AND PROCEDURES FOR CONGRESSIONAL REVIEW

STATEMENT OF PURPOSE

SEC. 301. The purposes of this title are—

(1) to establish procedures for Congressional action and review with respect to the Economic Report, the Full Employment and Balanced Growth Plan, the report of the Board of Governors of the Federal Reserve System, and the other policies and provisions of this Act and the Employment Act of 1946; and

(2) to establish a Division of Full Employment and Balanced Growth within the Congressional Budget Office.

GENERAL CONGRESSIONAL REVIEW

SEC. 302. (a) To provide for comprehensive economic and employment policies to meet the objectives of this Act and the Employment Act of 1946, and to provide Congress with guidance on these matters, the appropriate committees of the Congress shall review and revise, to the extent deemed desirable, the economic goals, priorities, policies, and programs proposed under such Acts by the President and the Board of Governors of the Federal Reserve System. The Congress shall initiate or develop such legislation as it deems necessary to implement these proposals and objectives, after such modification in such proposals as it deems desirable. Nothing in this Act shall be construed to prevent the Congress or any of its committees from considering or initiating at any time action to implement this Act.

(b) In addition to its responsibilities under the Employment Act of 1946 with respect to the Economic Report, the Joint Economic Committee shall carry out overall review of executive branch policies under this Act, with special attention to general economic conditions, the setting of national economic goals in the Economic Report, the Full Employment and Balanced Growth Plan, and the relationship of economic policy measures to the fulfillment of the goals and priorities established under this Act and under the Employment Act of 1946.

(c) In addition to their responsibilities under the Congressional Budget Act of 1974, the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives shall review, in conjunction with reporting concurrent resolutions on the budget under the Congressional Budget Act of 1974, the fiscal policy, economy in government policies, and Federal budget priorities recommended by the President.

(d) The other appropriate committees of Congress shall review and report on those policies or programs implemented or submitted which relate to matters within the jurisdiction of each such committee.

CONGRESSIONAL REVIEW OF ECONOMIC GOALS IN ECONOMIC REPORT

SEC. 303. (a) In conjunction with its review of the Economic Report, and the holding of hearings on the report, as required under the Employment Act of 1946, the Joint Economic Committee shall review and analyze the annual numerical goals for employment, production, and purchasing power recommended by the President in fulfillment of section 3 of the Employment Act of 1946. Subsequent to such a review, the Joint Economic Committee shall make recommendations to the Congress on the appropriate annual numerical goals for employment, production, and purchasing power, subject to the requirements of section 3A (d) of the Employment Act of 1946 relating to those periods when unemployment is to be reduced to given levels.

(b) Section 301 (a) of the Congressional Budget Act of 1974 is amended—

(1) by striking out "and" at the end of clause (5);

(2) by redesignating clause (6) as clause (7); and

(3) by inserting after clause (5) the following new clause:

"(6) numerical goals for employment, production, and purchasing power; and".

(c) The second sentence of section 301 (c) of the Congressional Budget Act of 1974 is amended to read as follows: "The Joint Economic Committee shall also submit to the Committees on the Budget of both Houses its recommendations as to the fiscal and monetary policies appropriate to the goals of the Employment Act of 1946. The Joint Economic Committee shall further submit to the Committees on the Budget of both Houses, in accordance with section 3 of the Employment Act of 1946, recommendations on annual numerical goals for employment, production, and purchasing power designed to achieve full employment of the Nation's human and capital resources as promptly as possible. These recommendations shall be incorporated by the Committee on the Budget of each House in the first concurrent resolution on the budget referred to in subsection (a) reported by that committee, with modifications if necessary to fulfill the objectives of the Full Employment and Balanced Growth Act of 1977, and to meet the requirement of section 3A of the Employment Act to achieve full employment within not more than four years after the enactment of the Full Employment and Balanced Growth Act of 1977. In the event that the Committee on the Budget of either House modifies the annual numerical goals for employment, production, and purchasing power recommended by the Joint Economic Committee, that Budget Committee shall provide its reasons for such modification in the report accompanying the first concurrent resolution.

CONGRESSIONAL REVIEW OF FULL EMPLOYMENT AND BALANCED GROWTH PLAN

SEC. 304. (a) Each proposed Full Employment and Balanced Growth Plan transmitted to the Congress by the President under section 3A of the Employment Act of 1946 (hereafter in this section referred to as a "Proposed Plan") shall be referred to the Joint Economic Committee. Within sixty days after receipt by the Congress of a Proposed Plan, each standing committee of the Senate and the House of Representatives and each joint committee of the Congress shall submit to the Joint Economic Committee a report containing its views and recommendations with respect to aspects of the Proposed Plan which relate to matters within the jurisdiction of such committee or joint committee.

(b) The Joint Economic Committee shall hold hearings for the purpose of receiving testimony from the Members of Congress, appropriate representatives of Federal departments and agencies and such representatives of the general public and interested groups as the joint committee deems advisable. The joint committee shall also consider the comments and views on the Proposed Plan which are received from State and local officials.

(c) Not later than one hundred and five days after the submission of a Proposed Plan to the Congress, the members of the Joint Economic Committee who are Members of the House of Representatives shall report to the House, and the members of the joint committee who are Members of the Senate shall report to the Senate, a concurrent resolution which shall state in substance that the Congress approves or disapproves the Proposed Plan, in whole or in part, and which may contain such alternatives to, modifications of, or additions to the Proposed Plan as the joint committee deems appropriate and in accord with the purposes of this Act and the Employment Act of 1946. The report accompanying such concurrent resolution shall include findings and recommendations of the joint committee with respect to each of the main recommendations contained in the Proposed Plan.

(d) (1) When a concurrent resolution referred to in subsection (c) has been reported to the House of Representatives it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to) to move to proceed to the consideration of the concurrent resolution. The motion shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(2) General debate on any such concurrent resolution in the House of Representatives shall be in the Committee of the Whole House on the State of the Union, and shall be limited to not more than ten hours, which shall be divided equally between those favoring and those opposing the concurrent resolution. A motion further to limit debate shall not be debatable.

(3) Except to the extent specifically provided in the preceding provisions of this subsection, consideration in the House of Representatives of any such concurrent resolution and amendments thereto (or any conference report thereon) shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions, amendments, and conference reports in similar circumstance.

(e) (1) Debate in the Senate on a concurrent resolution referred to in subsection (c), and all amendments thereto and debatable motions and appeals in connection therewith, shall be limited to not more than ten hours. The time shall be equally divided between, and controlled by, the majority leader and the minority leader or their designees.

(2) Debate in the Senate on any amendment to any

such concurrent resolution shall be limited to two hours, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution. Debate on any amendment to an amendment, and debate on any debatable motion or appeal shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution, except that in the event the manager of the concurrent resolution is in favor of any such amendment, motion, or appeal, the time in opposition thereto shall be controlled by the minority leader or his designee. No amendment that is not germane to the provisions of the concurrent resolution shall be received. Such leaders, or either of them, may, from the time under their control on the passage of the concurrent resolution, allot additional time to any Senator during the consideration of any amendment, debatable motion, or appeal.

(3) A motion in the Senate to further limit debate is not debatable. A motion to recommit (except a motion to recommit with instructions to report back within a specified number of days, not to exceed three, not counting any day on which the Senate is not in session) is not in order. Debate on any such motion to recommit shall be limited to one hour, to be equally divided between, and controlled by, the mover and the manager of the concurrent resolution.

(4) The conference report on any such concurrent

resolution shall be in order in the Senate at any time after the third day (excluding Saturdays, Sundays, and legal holidays) following the day on which such a conference report is reported and is available to Members of the Senate. A motion to proceed to the consideration of the conference report may be made even though a previous motion to the same effect has been disagreed to.

(5) During the consideration in the Senate of the conference report on any such concurrent resolution, debate shall be limited to two hours, to be equally divided between, and controlled by, the majority leader and minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to thirty minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report.

(6) Should the conference report be defeated in the Senate, debate on any request for a new conference and the appointment of conferees shall be limited to one hour to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee, and should any motion be made to instruct the conferees before the conferees are named, debate on such motion shall be limited to thirty minutes, to be equally divided between, and controlled by, the mover and the manager of the conference

report. Debate on any amendment to any such instructions shall be limited to twenty minutes, to be equally divided between, and controlled by, the mover and the manager of the conference report. In all cases when the manager of the conference report is in favor of any motion, appeal, or amendment, the time in opposition shall be under the control of the minority leader or his designee.

(7) In any case in which there are amendments in disagreement, time on each amendment in the Senate shall be limited to thirty minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment that is not germane to the provisions of such amendments shall be received.

(f) Upon adoption of a concurrent resolution under this section with respect to any Proposed Plan, the concurrent resolution shall serve as a long-term guide to the Congress with respect to legislation relevant to the goals, priorities, policies, and programs recommended in the Proposed Plan, as modified by the concurrent resolution. A copy of the concurrent resolution shall be transmitted to the President by the Clerk of the House of Representatives or the Secretary of the Senate, as appropriate, for such actions as the President deems appropriate.

DIVISION OF FULL EMPLOYMENT AND BALANCED GROWTH

SEC. 305. (a) There is established within the Congressional Budget Office a Division of Full Employment and Balanced Growth (hereafter in this section referred to as the "Division") to perform long-term economic analysis. The Division shall be headed by a Deputy Director who shall perform his or her duties under the supervision of the Director of the Congressional Budget Office and shall perform such other duties as may be assigned to him or her by the Director. Such Deputy Director shall be appointed in the same manner, serve for the same period, and receive the same compensation as the Deputy Director provided for in section 201 of the Congressional Budget Act of 1974.

(b) It shall be the first responsibility of the Division to assist the Joint Economic Committee in the discharge of its duties under this Act by providing, as the Joint Economic Committee may request—

(1) information with respect to long-term economic trends, national goals, resource availability, and the methods available to achieve full employment and balanced economic growth;

(2) information necessary for the preparation of the report and concurrent resolution referred to in section 304 (c); and

(3) such related information as the committee may request.

(c) At the request of any committee of the House of Representatives or the Senate, or any other joint committee of the Congress, the Division shall provide to such committee or joint committee the information necessary to fulfill its responsibilities under this Act.

(d) At the request of any Member of the House or Senate, the Division shall provide to each Member any information necessary to fulfill his or her responsibilities under this Act.

EXERCISE OF RULEMAKING POWERS

SEC. 306. (a) The provisions of this title (other than section 305) are enacted by the Congress—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of each House, respectively, or of that House to which they specifically apply, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House), at any time, in the same manner and to

the same extent as in the case of any other rule of such House.

TITLE IV—GENERAL PROVISIONS

NONDISCRIMINATION

SEC. 401. (a) No person in the United States shall on the ground of sex, age, race, color, religion, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this Act, including membership in any structure created by this Act.

(b) Whenever the Secretary of Labor determines that a recipient of funds under this Act has failed to comply with subsection (a), or an applicable regulation, he or she shall notify the recipient of the noncompliance and shall request such recipient to secure compliance. If within a reasonable period of time, not to exceed sixty days, the recipient fails or refuses to secure compliance, the Secretary of Labor is authorized (1) to refer the matter to the Attorney General with a recommendation that an appropriate civil action be instituted, (2) to exercise the powers and functions provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d), or (3) to take such other action as may be provided by law.

(c) When a matter is referred to the Attorney General pursuant to subsection (b), or whenever he or she has reason to believe that a recipient is engaged in a pattern or practice in violation of the provisions of this section, the Attorney General may bring a civil action in the appropriate United States district court for any and all appropriate relief.

(d) To assist and evaluate the enforcement of this section, and the broader equal employment opportunity policies of this Act, the Secretary of Labor shall include, in the annual Employment and Training Report of the President, a detailed analysis of the extent to which the enforcement of this section achieves affirmative action in both the quantity and quality of jobs, and for employment opportunities generally.

(e) In moving to reduce unemployment in accord with the goals and timetable set forth in this Act, every effort shall be made to reduce the differences between the rates of unemployment among women, minorities, and other labor force groups and the overall rate of unemployment, with the ultimate objective of removing them entirely. Insofar as these differences are due to discrimination, the nondiscrimination provisions of this section, as well as other provisions of the Act, shall be utilized. Insofar as these differences are due to lack of training and skills, occupational practices, and other relevant factors, the Secretary of

Labor shall take such action as he or she can to achieve the objectives of this paragraph; shall make studies, develop information, and make recommendations toward remedying these differences and include these in the annual Employment and Training Report of the President; and, if deemed necessary, make recommendations to the Congress within ninety days related to the objectives of this paragraph.

LABOR STANDARDS

SEC. 402. The policies and programs implemented and provided for by this Act, and funded in whole or in part through this Act, shall provide that persons employed pursuant to such policies and programs are paid equal wages for equal work, and that such policies and programs create a net increase in employment through work that would not otherwise be done. The President shall insure that any person employed in a reservoir project under section 206 (d) or in any other job utilizing funds provided in whole or part under this Act shall be paid not less than the pay received by others performing similar work for the same employer, and in no case less than the minimum wage under the Fair Labor Standards Act of 1938 as amended. No person employed under section 206 (d) shall perform work of the type to which the Bacon-Davis Act, as amended (40 U.S.C. 276a–276a–5) applies. Any recommendation by the President for legislation to implement any program under this Act, requiring the use of funds under this Act, and submitted pursuant to the requirements of this Act, shall contain appropriate wage provisions based upon existing wage standard legislation.

AUTHORIZATIONS

SEC. 403. There is authorized to be appropriated such sums as may be needed to carry out the provisions of this Act. Notwithstanding any other provisions of this Act, no provision shall be construed to require expenditures in excess of amounts appropriated pursuant to this Act.

DEFINITIONS

SEC. 404. (a) "Fiscal drag" as used in section 106 means tax and expenditure rates which, in combination, substantially impede attainment (or maintenance) of full employment, production, and purchasing power.

(b) "Balanced growth" in the Full Employment and Balanced Growth Plan means projecting and achieving (1) the relationship between production or supply capability and demand, and (2) the relationships among the growth rates of private investment, private consumer expenditures, and public outlays, and also (3) the purchasing power, including important components of each element mentioned in (1), (2), and (3) above, required to achieve and then maintain full employment and production and appropriate servicing of national priorities, these to be promoted by the programs and policies set forth in this Act and by encouragement of voluntary cooperation within the private sector (for example, between labor and management) and between the Government and the private sector.

(c) "Frictional unemployment" means the lowest level of unemployment, determined on the basis of evolving experience, consistent with labor mobility, changing job patterns, freedom of job choice, and sufficient job search on a voluntary basis.

Amend the title so as to read: "A bill to establish and translate into practical reality the right of all adult Americans able, willing, and seeking to work to full opportunity for useful paid employment at fair rates of compensation; to combine full employment, production, and purchasing power goals with proper attention to balanced growth and national priorities; to mandate such national economic policies and programs as are necessary to achieve full employment, production, and purchasing power; to restrain inflation; and to provide explicit machinery for the development and implementation of such economic policies and programs.".

95TH CONGRESS
1ST SESSION

S. 50

A BILL

To establish and translate into practical reality the right of all adult Americans able, willing, and seeking to work to full opportunity for useful paid employment at fair rates of compensation; to combine full employment, production, and purchasing power goals with proper attention to balanced growth and national priorities; to mandate such national economic policies and programs as are necessary to achieve full employment, production, and purchasing power; to restrain inflation; and to provide explicit machinery for the development and implementation of such economic policies and programs, and for other purposes.

By Mr. HUMPHREY, Mr. ANDERSON, Mr. CASE, Mr. JACKSON, Mr. KENNEDY, Mr. MCGOVERN, Mr. MATSUNAGA, Mr. SARBANES, and Mr. WILLIAMS

JANUARY 10, 1977

Referred to the Committee on Labor and Public Welfare by unanimous consent and if and when reported, then to the Committee on Banking, Housing and Urban Affairs not to exceed 60 days

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CE

95th CONGRESS
1st Session

S. 170

U S DEPARTMENT OF HEALTH
EDUCATION & WELFARE
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IN THE SENATE OF THE UNITED STATES

January 11 (legislative day, January 10), 1977

Mr. Humphrey (for himself, Mr. Abourezk, Mr. Case, Mr. Inouye, Mr. Javits, and Mr. Matsunaga) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

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A BILL

To provide meaningful and productive work for the Nation's youths, and to provide comprehensive job counseling and placement services for youths, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Youth Employment Act of 1977".

II—O

TITLE I—YOUTH EMPLOYMENT AND COMMUNITY SERVICE PROGRAMS

YOUTH EMPLOYMENT AND COMMUNITY SERVICE PROGRAMS AUTHORIZED

SEC. 101. The Comprehensive Employment and Training Act of 1973 is amended by redesignating title VII, and all references thereto, as title VIII; by redesignating sections 701 through 714, and all references thereto, as sections 801 through 814, respectively; and by inserting after title VI the following new title:

"TITLE VII—YOUTH EMPLOYMENT AND COMMUNITY SERVICE PROGRAMS

"PART A—YOUTH COMMUNITY SERVICE

"PURPOSE

"SEC. 701. This part establishes a Youth Community Service in order to enable all youths, and low-income youths in particular, to have the opportunity for performing useful and productive work on projects serving their local community and the Nation as a whole; to assist youths in the acquisition of basic education and development of basic work skills; to enable youths to develop a sense of responsibility, initiative, self-reliance and self-worth; to provide youths with an opportunity to gain work experience and occupational information; to provide local communities and the Nation with valuable services; and to bring together all sectors of the economy in an effort to give youths a meaningful place in society, the economy, and the Nation.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 702. (a) There are authorized to be appropriated to carry out the provisions of this part $100,000,000 for the fiscal year 1977; $1,250,000,000 for the fiscal year 1978; and for each of the succeeding calendar quarters (beginning with the calendar quarter beginning on October 1, 1978)—

"(1) $250,000,000 plus

"(2) $62,500,000 multiplied by the number of one-half percentage points by which the rate of seasonally adjusted national unemployment for the most recent calendar quarter which ended before the beginning of such calendar quarter exceeded 4 per centum.

"(b) The Secretary shall prepare and transmit to the Congress, prior to or during any period specified in subsection (a), such estimates of unemployment as may be necessary or appropriate for determining amounts to be appropriated for such period or allocated pursuant to this Act; and appropriations and allocations for any such period may be made prior to or during such period on the basis of such estimates.

"(c) Any amounts appropriated for any such period which are not obligated prior to the end of such period shall remain available for obligation in the succeeding fiscal year after the period for which such amounts were appropriated.

"ALLOCATION OF FUNDS

"SEC. 703. (a) (1) Eighty per centum of the amount available for this part in any fiscal year shall be allotted in accordance with the provisions of this subsection.

"(2) (A) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative number of youth, aged 16–21, in low-income families within each State as compared to such numbers in all States;

"(B) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative share of unemployed youth within each State as compared to such numbers in all States.

"(3) The sum allotted to each State shall be allotted by the Secretary among areas within the State on an equitable basis based upon the factors set forth in paragraph (2).

"(b) The remainder of the amount available for this part shall be available to the Secretary to be distributed at his discretion taking into account the severity of unemployment among youths in areas under the jurisdiction of each prime sponsor.

"(c) As soon as practicable after funds are appropriated to carry out this part for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsection (a) of this section.

"YOUTH COMMUNITY SERVICE PROGRAM AUTHORIZED

"SEC. 704. (a) Each prime sponsor shall make grants to, or enter into arrangements with, eligible applicants in accordance with the provisions of this part in order to make financial assistance available for the purpose of providing Youth Community Service employment for youths in jobs required to carry out eligible community service projects.

"(b) (1) Of the funds allocated to each prime sponsor, no more than 25 per centum may be used for administrative expenses, equipment, supplies, supporting services or supervisory personnel necessary to the carrying out of the eligible project, and not less than 75 per centum shall be expended only for wages and employment benefits to youths employed pursuant to this part.

"(2) Nothing in this part is intended to prohibit the use of funds from other sources, including other Federal programs, in combination with funds appropriated under section 703, for purposes of carrying out approved Youth Community Service projects which meet the requirements set forth in this part.

"APPLICATIONS

"SEC. 705. (a) Financial assistance under this part may not be made for any Youth Community Service project unless the prime sponsor approves an application pursuant to section 706 which is submitted by an eligible applicant.

"(b) Each such application shall—

"(1) set forth a full description of the eligible project consistent with the provisions of section 706(b);

"(2) describe the age and school status of the youth population to be served, and described what emphasis the eligible project shall place on school retention or reenrollment, vocational exploration, and skill development;

"(3) provide a description of the jobs to be filled, a listing of the major kinds of work to be performed to carry out the eligible project and the approximate duration, not to exceed twelve months, for which participants would be assigned to such jobs;

"(4) provide a description of job training, educational, and skill development opportunities that will be made available to participating youths, as well as a description of plans to coordinate the training activities of the eligible project with training activities provided for under other provisions of this Act;

"(5) describe (A) whether jobs provided by the eligible project shall consist primarily of part-time jobs to be filled by youths who are still in school or who will return to school, with more extensive work provided during the summer months, or primarily of full-time jobs to be filled by youths who are out of school, or a combination of full-time and part-time jobs; (B) provisions designed to assist and encourage school retention or reenrollment, or both, vocational exploration, or skill development: and (C) other supportive activities to participating youths, such as counseling, remedial reading, and other work-related assistance;

"(6) describe the wages or salaries to be paid youths and other persons employed in jobs and supervisory positions assisted under this part, if such wages and salaries are not set by the prime sponsor;

"(7) set forth assurances that the activities and services agreed to under this part will be administered by or under the supervision of the applicant, identifying any agency or institution designated to carry out such activities or services;

"(8) set forth assurances that no youth hired under this part will be employed to fill a job opening created by the action of an employer in laying off or terminating the employment of any regular employee not supported under this part in anticipation of filling the vacancy so created by hiring a youth to be supported under this part;

"(9) set forth assurances that the eligible project applicant will advise participating youths of the availability of other training and manpower resources provided under this Act, and other resources available in the local community to assist such youths in obtaining unsubsidized employment upon completion or termination of the eligible project;

"(10) set forth assurances that all persons employed in an eligible project under this part, other than necessary technical, supervisory, supportive service, and administrative personnel, will be selected from among youths, and that members of the immediate families of the eligible applicant or its officers, owners, directors, or elected officials will not be employed with funds provided by this part;

"(11) set forth assurances that there will be adequate supervisory personnel on an eligible project, as required under section 706 (b) (3);

"(12) in the case of an eligible applicant that is a local educational agency, set forth assurances that (A) the jobs provided will be used to encourage youths to remain in school, (B) the agency will provide supporting services to participants, such as counseling, remedial reading, and other work-related assistance, and (C) the project will provide both part-time work during the school year plus more extensive work during the summer;

"(13) set forth assurances that no person with responsibilities in the operation of the project will discriminate with respect to any participant or applicant for participation in such project because of race, creed, color, national origin, sex, political affiliations, or beliefs and that participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(14) set forth assurances that jobs assisted under this part are in addition to jobs that would be assisted by the eligible applicant in the absence of assistance under this part;

"(15) set forth assurances that any income generated by the project will be applied toward the cost of the project;

"(16) set forth assurances that, to the extent feasible, a durable sign, describing the nature of the eligible project, the number of youths employed and the fact that the project is a youth community service project will be conspicuously displayed at the project site;

"(17) describe how the eligible project will result in visible and tangible improvements to the local community or the Nation or will provide useful services to the citizens; and

"(18) set forth such other assurances, arrangements, and conditions consistent with the provisions of this part, including the special conditions required under section 772, as the Secretary deems necessary in accordance with such regulations as the Secretary shall prescribe.

"APPROVAL OF APPLICATIONS

"SEC. 706. (a) An application, or an amendment or modification of an application, under this part may be approved by the prime sponsor only if the prime sponsor determines that—

"(1) the application meets the requirements set forth in this part; and

"(2) the application fully describes an eligible project which complies with the provisions of subsection (b) of this section.

"(b) No application shall be approved by the prime sponsor unless the prime sponsor determines that the eligible project described in that application will—

"(1) be initiated within sixty days of the date on which it is approved;

"(2) provide work that is socially valuable, including, but not limited to, any public service;

"(3) provide no fewer than one superivsor for each ten participating youths, and provide that the supervisory personnel are adequately trained in skills needed to carry out the project and can instruct participating youths in skills needed to carry out the project, except that the prime sponsor may permit fewer supervisors for individual projects whenever a prime sponsor determines that such modification will contribute to the objectives of this part.

"(c) In approving applications under this part the prime sponsor shall to the fullest practical extent give priority to applications which will—

"(1) most contribute to reducing unemployment among youths, and low-income youths in particular;

"(2) result in the production of goods or services of greatest value to the local community or to the Nation; and

"(3) contribute to providing a broad range of part-time and full-time jobs, in order to meet the employment needs of both youths in school and those out of school, as provided in section 705 (b) (5).

"(d) Each prime sponsor shall, to the fullest extent consistent with its responsibilities under this title, give special consideration to applications submitted by eligible private nonprofit organizations, and aim to make the maximum use of such organizations which have demonstrated effectiveness in job creation, job-related skills training and comprehensive employment services.

"(e) In the case of an application which fails to meet the requirements set forth in this part, the prime sponsor may—

"(1) reject the application, or

"(2) return the application to the eligible applicant, and

"(A) present the eligible applicant with reasons why the application failed to meet the requirements of this part;

"(B) at the request of the eligible applicant, provide assistance in the preparation of a revised application; and

"(C) reconsider the revised application.

"YOUTH PARTICIPANTS

"SEC. 707. To the maximum extent possible, youth participants in eligible Youth Community Service projects shall be identified by and selected from names submitted by the existing manpower delivery system established under title I of this Act, the United States Employment Service, schools of local educational agencies, and public agencies and private nonprofit organizations.

"PART B—YOUTH OPPORTUNITIES IN PRIVATE ENTERPRISE

"PURPOSE

"SEC. 721. It is the purpose of this part to establish a youth opportunities in private enterprise program in order to—

"(1) reduce unemployment among the Nation's youths, particularly low-income youths, by providing the incentive and opportunity for private enterprise to hire such youths for productive and responsible jobs;

"(2) provide youths with basic work skills and to make it possible for them to compete effectively for jobs in private enterprise;

"(3) reduce the barriers to youth employment in private enterprise;

"(4) demonstrate the ability of youths to work effectively in private enterprise;

"(5) restore the confidence of private employers in youthful employees;

"(6) foster cooperation between the public and private sectors in the development of job opportunities for youths;

"(7) provide special employment assistance to low-income youths and to improve job opportunities for low-income youths; and

"(8) help young Americans develop rewarding careers in private enterprise.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 722. (a) There are authorized to be appropriated to carry out the provisions of this part $100,000,000 for the fiscal year 1977; $500,000,000 for the fiscal year 1978; and $750,000,000 for each succeeding fiscal year thereafter.

"(b) Any amounts appropriated for any fiscal year which are not obligated prior to the end of such period shall remain available for obligation in the succeeding fiscal year after the period for which such amounts were appropriated.

"ALLOCATION OF FUNDS

"SEC. 723. (a) Of the funds appropriated under section 722 for any fiscal year—

"(1) 70 per centum shall be allocated among prime sponsors in the same proportion as funds allocated under section 703(a) of this Act;

"(2) 10 per centum may be distributed by the Secretary at his discretion for the purpose of establishing additional youth opportunity in private enterprise programs in rural areas;

"(3) 20 per centum may be distributed by the Secretary at his discretion for the purpose of establishing additional youth opportunity in private enterprise programs for low-income youths.

"(b) As soon as practicable after funds are apportioned to carry out this part for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsection (a) of this section.

"YOUTH OPPORTUNITY IN PRIVATE ENTERPRISE PROGRAM AUTHORIZED

"SEC. 724. (a) Each prime sponsor shall make grants to, or enter into arrangements with, eligible applicants in accordance with the provisions of this part in order to make financial assistance available for, or to establish, youth opportunity in private enterprise programs, for the purposes of—

"(1) placing youths in jobs in private enterprise;

"(2) providing financial assistance to eligible applicants for costs incurred in training youths for jobs under this part, and making arrangements with employers organized for profit for on-the-job training programs;

"(3) providing special assistance to low-income youths needed to enable them to adequately perform jobs in private enterprise; and

"(4) providing useful or necessary supportive services to participating youths and employers.

"(b) The prime sponsor shall give special consideration to applications for on-the-job training programs submitted by employers organized for profit if such application provides that the services listed in subsection (c) shall be provided by community based organizations. Costs incurred by community based organizations in providing such services shall be an allowable cost of the on-the-job training program: *Provided*, That the total payment to any employer organized for profit shall not exceed the difference between the costs of recruiting, training, and providing supportive services for youths eligible under this title and those regularly employed.

"(c) The services referred to in subsection (b) are recruiting, including outreach, counseling, basic or remedial education, supportive services, including necessary child care, and such training as may be delegated by the employer.

"(d) Nothing in this part is intended to prohibit the use of funds from other sources, including other Federal programs, in combination with funds appropriated under section 722, for the purpose of carrying out approved youth opportunity in private enterprise programs which meet the requirements set forth in this part.

"ELIGIBLE ACTIVITIES

"SEC. 725. Each youth opportunity in private enterprise program assisted under this part may include, but shall not be limited to—

"(1) provision for reimbursement of private employers organized for profit for costs incurred for on-the-job training programs;

"(2) provision for counseling, remedial education, supportive services, and placement services needed to enable participating youths to obtain, and adequately perform, a job in private enterprise;

"(3) provision for opportunities for participating youths to develop basic work skills and basic job skills needed to obtain, and adequately perform, a job in private enterprise;

"(4) provision for information, assistance, and services to participating employers needed to develop job opportunities for youths and to structure newly developed jobs to fit the needs and abilities of youths;

"(5) provision to participating employers of supportive services, such as followup counseling with participating youths and employers, assistance in developing job ladders or new job opportunities for participating youths, and other assistance needed to improve work relationships between participating employers and youths;

“(6) provision of arrangements to assist and encourage school retention or reenrollment, or both, vocational exploration, or skill development among participating youths;

“(7) reimbursement to participating youths for necessary transportation, clothing, or other costs of employment;

“(8) in cooperation with State and local educational agencies, development of cooperative work-study programs to enable youths in school to combine formal education with part-time employment in the private sector;

“(9) internship programs to permit youths to experience a variety of work experiences with one or more employers;

“(10) in cooperation with the Bureau of Apprenticeship and Training of the Department of Labor, development of apprenticeship programs in occupations where they do not currently exist;

“(11) any other activity or program to place or assist youths in jobs in private enterprise; or

“(12) any combination of any activities or programs to place or assist youths in jobs in the private sector.

"APPLICATIONS

"SEC. 726. (a) Financial assistance under this part may not be made for any youth opportunity in private enterprise program unless the prime sponsor approves an application pursuant to section 727 which is submitted by an eligible applicant.

"(b) Each such application shall—

"(1) set forth a full description of the eligible youth opportunity in private enterprise program, including a description of all activities which will be included in the program;

"(2) estimate the number of youths to be served by the eligible program;

"(3) provide a description of job training, educational, and skill development opportunities that will be made available to participating youths, as well as a description of plans to coordinate the training activities of the eligible program with training activities provided for under other provisions of this Act;

"(4) describe (A) whether jobs provided under the eligible program shall consist primarily of part-time jobs to be filled by youths who are still in school or who will return to school, with more extensive work provided during the summer months, or primarily of full-time jobs to be filled by youths who are out of school, or a combination of full-time and part-time jobs; (B) provisions designed to assist and encourage school retention or reenrollment, or both, vocational exploration, or skill development; and (C) other supportive activities to participating youths, such as counseling, remedial reading, and other work-related assistance;

"(5) set forth assurances that jobs provided under this part will be productive and useful, will contribute to a sense of achievement among participating youths, and will require at least one month of training and work experience, but no more than one year, for adequate job performance;

"(6) set forth assurances that youths will not be placed in jobs in which wages are based primarily on commissions, in jobs for which training may be more effectively or economically conducted under other Federal or State programs, or in jobs in shortage occupations where such shortage is caused by poor working conditions;

"(7) set forth assurances that the activities and services agreed to under this part will be administered by or under the supervision of the applicant, identifying any agency or institution designated to carry out such activities or services;

"(8) set forth assurances that no youth hired under this part will be employed to fill a job opening created by the action of an employer in laying off or terminating the employment of any regular employee in anticipation of filling the vacancy so created by hiring a youth under this part;

"(9) set forth assurances that the eligible applicant will advise participating youths of the availability of other training and manpower resources provided under this Act, and other resources available in the local community to assist such youths in obtaining employment;

"(10) set forth assurances that participating youths will be adequately supervised by participating employers;

"(11) in the case of an eligible applicant that is a local educational agency, set forth assurances that (A) the jobs provided will be used to encourage youths to remain in school, (B) the agency will provide supportive services to participants, and (C) the program will, where appropriate, provide both part-time work during the school year and full-time summer employment;

"(12) set forth assurances that the eligible applicant shall, to the maximum feasible extent, endeavor to place participating youths in small businesses;

"(13) set forth assurances that no person with responsibilities in the operation of the program will discriminate with respect to any participant or applicant for participation in such program because of race, creed, color, national origin, sex, political affiliations, or beliefs and that participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(14) set forth assurances that jobs provided by participating employers under this part are in addition to jobs that would be provided by the employer in the absence of programs assisted under this part: and

"(15) set forth such other assurances, arrangements, and conditions consistent with the provisions of this part, including the special conditions required under section 772, as the Secretary deems necessary in accordance with such regulations as the Secretary shall prescribe.

"APPROVAL OF APPLICATIONS

"SEC. 727. (a) An application, or an amendment or modification of an application, under this part may be approved by the prime sponsor only if the prime sponsor determines that—

"(1) the application meets the requirements set forth in this part; and

"(2) the application fully describes an eligible project which complies with the provisions of subsection (b) of this section.

"(b) No application shall be approved by the prime sponsor unless the prime sponsor determines that the eligible youth opportunity in private enterprise program described in that application will—

"(1) be initiated within sixty days of the date on which it is approved; and

"(2) provide meaningful work that will give participating youths a sense of satisfaction and self-worth.

"(c) In approving applications under this part the prime sponsor shall to the fullest practical extent give priority to applications which will—

"(1) most contribute to reducing unemployment among youths, and low-income youths in particular; and

"(2) contribute to providing a broad range of part-time and full-time jobs, in order to meet the employment needs of both youths in school and those out of school; and

"(3) assist and encourage school retention or reenrollment, or both, vocational exploration, or skill development.

"(d) Each prime sponsor shall, to the fullest extent consistent with its responsibilities under this title, give special consideration to applications submitted by eligible private nonprofit organizations, and aim to make the maximum use of such organizations which have demonstrated effectiveness in job creation, job-related skills training and comprehensive employment services.

"(e) In the case of an application which fails to meet the requirements set forth in this part, the prime sponsor may—

"(1) reject the application, or

"(2) return the application to the eligible applicant, and

"(A) present the eligible applicant with reasons why the application failed to meet the requirements of this part;

"(B) at the request of the eligible applicant, provide assistance in the preparation of a revised application; and

"(C) reconsider the revised application.

"YOUTH PARTICIPANTS

"SEC. 728. To the maximum extent possible, youth participants in eligible youth opportunity in private enterprise programs shall be identified by and selected from names submitted by the existing manpower delivery system established under title I of this Act, the United States Employment Service, schools of local educational agencies, and public agencies and private nonprofit organizations.

"PART C—WORK EXPERIENCE FOR IN-SCHOOL YOUTH

"STATEMENT OF PURPOSE

"SEC. 741. It is the purpose of this part to establish a work experience for in-school youth program, to provide youths who are in secondary schools with the opportunity to gain meaningful work experience which is fully integrated with their course of education, by assisting local educational agencies and employers to develop part-time action-learning jobs for such youths.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 742. (a) There are authorized to be appropriated to carry out the purposes of this part $50,000,000 for the fiscal year 1977, $150,000,000 for the fiscal year 1978, and $200,000,000 for each succeeding fiscal year thereafter.

"(b) Any amounts appropriated for any fiscal year which are not appropriated prior to the end of such fiscal year shall remain available for obligation in the succeeding fiscal year after the fiscal year in which such amounts were appropriated.

"ALLOCATION OF FUNDS

"SEC. 743. (a) (1) Eighty per centum of the amount available for this part in any fiscal year shall be allotted in accordance with the provisions of this subsection.

"(2) (A) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative number of youth enrolled in secondary schools within each State as compared to such numbers in all States.

"(B) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative number of low-income youth enrolled in secondary schools within each State as compared to such numbers in all States.

"(3) The sum allotted to each State shall be allotted by the Secretary among areas within the State on an equitable basis based upon the factors set forth in paragraph (2).

"(b) The remainder of the amount available for this part shall be available to the Secretary to be distributed as follows:

"(1) 5 per centum to States to encourage coordination between existing employment service functions and prime sponsor programs funded under this part.

"(2) 15 per centum to be distributed by the Secretary at his discretion.

"(c) As soon as practicable after funds are appropriated to carry out this part for any fiscal year the Secretary shall publish in the Federal Register allotments required by subsection (a) of this section.

"WORK EXPERIENCE FOR IN-SCHOOL YOUTH

AUTHORIZATION

"SEC. 744. The Secretary shall, in accordance with the provisions of this part, make payments to prime sponsors for applications approved under section 746 in order to make financial assistance available to local educational agencies for the purpose of providing youth who are in secondary schools with job experience prior to the completion of secondary school.

"APPLICATIONS

"SEC. 745. (a) Financial assistance under this part may not be made for any work experience for in-school youth program unless the prime sponsor submits to the Secretary an application at such time and containing or accompanied by such information as the Secretary may reasonably require.

"(b) Each such application shall—

"(1) set forth a work experience for in-school youth program administered by a local educational agency or local educational agencies within the jurisdiction of the prime sponsor which shall provide part-time employment opportunities with public and private employers in action-learning positions for youths enrolled in or reentering a full-time educational program in a secondary school;

"(2) set forth a description of jobs to be performed by participating youths;

"(3) describe wages or salaries to be paid by participating employers to participating youths;

"(4) set forth assurances that participating youths will be provided meaningful work experience, which shall improve their ability to make career decisions and which shall provide them with basic work skills needed for regular employment not subsidized under this part;

"(5) set forth assurances that the program will be administered under contracts with the prime sponsor by a local educational agency or local educational agencies within the jurisdiction of the prime sponsor, and that such contracts have been reviewed and approved by the full membership of the Education-Work Committees established in section 773 of this title;

"(6) set forth assurances that job information, counseling, guidance and placement services shall be made available to participating youths and that funds provided under this part shall be available to, and utilized by, the local educational agency or agencies to the extent necessary to pay the cost of school-based counselors to carry out the provisions of this part, including the certification process required under section 747;

"(7) describe arrangements for reimbursing employers for necessary costs of training participating youths for jobs provided under this part;

"(8) set forth assurances that jobs provided under this part shall be certified by the participating local educational agencies as relevant to the educational and career goals of the participating youths;

"(9) set forth assurances that youths will not be placed in jobs in which wages are based primarily on commissions, in jobs for which training may be more effectively or economically conducted under other Federal or State programs, or in jobs in shortage occupations where such shortage is caused by poor working conditions;

"(10) set forth assurances that the activities and services agreed to under this part will be administered by or under the supervision of the applicant, identifying any agency or institution designated to carry out such activities or services;

"(11) set forth assurances that the eligible applicant will advise participating youths of the availability of other training and manpower resources provided under this Act, and other resources available in the local community to assist such youths in obtaining employment;

"(12) set forth assurances that participating youths will be adequately supervised by participating employers;

"(13) set forth assurances that no person with responsibilities in the operation of the program will discriminate with respect to any participant or applicant for participation in such program because of race, creed, color, national origin, sex, political affiliations, or beliefs and that participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place for religious worship;

"(14) set forth assurances that jobs provided by participating employers under this part are in addition to jobs that would be provided by the employer in the absence of programs assisted under this part; and

"(15) set forth such other assurances, arrangements, and conditions consistent with the provisions of this part, including the special conditions required under section 772, as the Secretary deems necessary in accordance with such regulations as the Secretary shall prescribe.

"APPROVAL OF APPLICATIONS

"SEC. 746. Applications, or an amendment or modification of the application, for payments to prime sponsors under this part may be approved by the Secretary only if he determines that the application meets the requirements set forth in section 745.

"YOUTH PARTICIPANTS

"SEC. 747. Youth participants in work experience for in-school youth programs shall be—

"(1) chosen, to the maximum extent possible, from among youths who are in low-income families and who need work to remain in school; and

"(2) selected by the appropriate local educational agency, based on the certification for each participating youth by the school-based guidance counselor that the work experience provided is an appropriate component of the overall educational program of the youth.

"PART D—OCCUPATIONAL INFORMATION AND CAREER COUNSELING PROGRAM

"PURPOSE

"SEC. 751. It is the purpose of this part to establish an occupational information and career counseling program under which effective and comprehensive job counseling, job information and job placement services are made available to the Nation's youth, in order to reduce the unemployment rate among youths and young workers; to improve the ability of youths to obtain useful, productive and remunerative jobs; to ease the transition of youths from school to work; to improve communication and cooperation between State and local educational agencies, State employment services, youths and businesses; to increase, improve, and make more readily available to youths necessary information on jobs, careers, and employment prospects; to improve the long-run career plans of youths and the way career plans are developed; and to improve the matching of long- and short-run employment desires of youths with the technical, managerial and labor skills needed to sustain the long-run growth and prosperity of the American economy.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 752. (a) There are authorized to be appropriated to carry out the provisions of this part $75,000,000 for the fiscal year 1977, and $100,000,000 for each succeeding fiscal year thereafter.

"(b) Any amounts appropriated for any fiscal year which are not appropriated prior to the end of such fiscal year shall remain available for obligation in the succeeding fiscal year after the fiscal year in which such amounts were appropriated.

"ALLOCATION OF FUNDS

"SEC. 753. (a) (1) Seventy per centum of the amount available for this part in any fiscal year shall be allotted in accordance with the provisions of this subsection.

"(2) (A) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative number of youths, aged sixteen to twenty-one, inclusive, in low-income families within each State as compared to such youths in all States.

"(B) Fifty per centum of the amount allotted under this subsection shall be allotted among States on the basis of the relative share of unemployed youth within each State as compared to such youths in all States.

"(3) The sum allotted to each State shall be allotted by the Secretary among areas within the State on an equitable basis based upon the factors set forth in paragraph (2).

"(b) The remainder of the amount available for this part shall be available to the Secretary for the following purposes:

"(1) 10 per centum to be distributed to the States for the development of technical systems to translate national projections of occupational and skill requirements to a regional and local basis; and

"(2) 20 per centum for programs authorized under section 757, section 758, and section 759.

"(c) As soon as practicable after funds are apportioned to carry out this part for any fiscal year, the Secretary shall publish in the Federal Register the apportionments required by subsection (a) of this section.

"OCCUPATIONAL INFORMATION AND CAREER GUIDANCE PROGRAMS AUTHORIZED

"SEC. 754. (a) Each prime sponsor shall make grants to, or enter into arrangements with, eligible applicants in accordance with the provisions of this part in order to make financial assistance available to establish and carry out occupational information and career guidance programs, for the purposes of—

"(1) reducing the rate of unemployment among youths by increasing their access to available job opportunities;

"(2) improving the information available to youths on job and career opportunities, including such information as short- and long-run employment opportunities in various careers, skill and education requirements of various jobs and employers, location of job opportunities, and compensation and benefits of various jobs;

"(3) providing for better matching of youth job and career desires with available jobs as well as with perspective job opportunities over the long run;

"(4) furnishing job counseling and placement services to youths who are actively seeking employment, as well as to those forming career plans;

"(5) furnishing preemployment counseling to youths in intermediate and secondary schools; and

"(6) furnishing information to youths, both in school and out of school, on postsecondary educational opportunities, job training and vocational education programs, manpower development programs, and Federal, State, and local assistance available to youths for participation in such programs and oportunities.

"(b) Programs assisted under this part may include, but shall not be limited to—

"(1) programs for counseling and employment services for youths in secondary and postsecondary schools in cooperation with State and local educational agencies;

"(2) in cooperation with community-based organizations, farm, labor, and other interested organizations, programs of neighborhood, rural, mobile, and seasonal counseling and employment services for youth, to bring job counseling and placement services assisted under this part to disadvantaged, rural, and minority youths who would not otherwise have access to such services;

"(3) in cooperation with State and local correctional agencies, programs of counseling and employment services for youth in correctional institutions;

"(4) programs of computer on-line terminals and other facilities to utilize and implement occupational and career outlook information and projections supplied by State employment service offices and to improve the match of youth career desires with available and anticipated labor demand;

"(5) in cooperation with State and local educational agencies, programs to bring employment and career counseling to presecondary youths;

"(6) in cooperation with the Department of Defense, programs of counseling and employment services for youth on military bases, on a full-time or part-time basis;

"(7) programs designed to encourage public and private employers to list all available job opportunities for youths with the appropriate eligible applicant conducting occupational information and career counseling programs and to encourage cooperation and contact between such eligible applicants and employers; and

"(8) such other programs as the Secretary determines will carry out the purposes of this part.

"APPLICATIONS

"SEC. 755. (a) Financial assistance may not be made under this part for any occupational information and career counseling program unless the prime sponsor approves an application pursuant to section 756 which is submitted by an eligible applicant.

"(b) Each such application shall—

"(1) set forth a full description of the occupational information and career counseling program;

"(2) set forth assurances that the activities and services for which payment is sought under this part will be administered by or under the supervision of the applicant, identifying any agency, institution, or enterprise designated to carry out such activities or services;

"(3) set forth assurances that the eligible applicant will advise youths of the availability of other training and manpower resources provided under this Act, and other resources available in the local community to assist youths in obtaining employment;

"(4) set forth assurances that no person with responsibilities in the operation of the program assisted under this part will discriminate with respect to any youth or applicant because of race, creed, color, national origin, sex, political affiliations, or beliefs; and

"(5) set forth such other assurances, arrangements, and conditions consistent with the provisions of this part, including the special conditions required under section 772, as the Secretary deems necessary in accordance with such regulations as the Secretary shall prescribe.

"APPROVAL OF APPLICATIONS

"SEC. 756. (a) An application, or an amendment or modification of an application, under this part may be approved by the prime sponsor only if the prime sponsor determines that the application meets the requirements set forth in this part.

"(b) In the case of an application which fails to meet the requirements set forth in this part, the prime sponsor may—

"(1) reject the application, or

"(2) return the application to the eligible applicant, and

"(A) present the eligible applicant with reasons why the application failed to meet the requirements of this part;

"(B) at the request of the eligible applicant, provide assistance in the preparation of a revised application; and

"(C) reconsider the revised application.

"NATIONAL OCCUPATIONAL INFORMATION AND CAREER GUIDANCE SERVICE

"SEC. 757. (a) The Secretary is authorized to establish a National Occupational Information and Career Guidance Service in the Department of Labor to undertake estimates of present and future occupational needs, to compile data on the numbers of people engaged in education and training, to assist States in the preparation of individual State and area projections of occupational outlook, and to serve as the informational and statistical base required for matching career preparation with future career prospects.

"(b) It shall be the purpose of the Service to—

"(1) make estimates of present and projected labor demand on an occupational and geographical basis;

"(2) complete surveys of the number of people engaged in all types of education and training;

"(3) develop comprehensive occupational outlook and career information;

"(4) encourage and assist local areas to adopt methods of translating national aggregate occupational outlook data into local terms; and

"(5) assist in the development of State occupational information systems, to be used in the maintenance of local computerized job banks and job vacancy reports, and accessible via computer terminals located in school district offices.

"COUNSELING AND PLACEMENT PERSONNEL TRAINING GRANTS

"SEC. 758. (a) The Secretary is authorized to make grants to public agencies, colleges, and nonprofit private organizations for the purpose of providing training and retraining for job counseling and placement personnel. Such grants may be used for—

"(1) improving and upgrading counselor training, improving the skills of counselors and placement personnel, and improving training programs;

"(2) providing opportunities for the establishment and development of preservice and inservice training and retraining for job counseling and placement personnel; and

"(3) providing training programs for paraprofessionals and support personnel to aid professionals working in job counseling and placement.

"(b) For purposes of this section, the term 'job counseling and placement personnel' includes professionals, including counselors who meet certification requirements; administrators, and other professional school personnel such as teachers and pupil personnel specialists, who work directly with the programs or with students involved with the programs; and counselors in related settings such as community agencies, community-based organizations, job training programs, United States Employment Service, and affiliated State employment service agencies, rehabilitation centers, career resource centers, and postsecondary educational institutions.

"DEMONSTRATION AND EVALUATION PROGRAMS

"SEC. 759. (a) The Secretary is authorized to carry out a program of demonstration and evaluation projects for the purpose of—

"(1) developing and demonstrating new job counseling, job information, and job placement programs and techniques for youth;

"(2) promoting demonstration activities in job counseling and job placement for youths, through the encouragement of pilot projects and the publication of development in new technology, personnel utilization, facilities utilization, and delivery systems with innovative administrative and structural designs;

"(3) providing for evaluation of the programs and services offered to determine their effectiveness and efficiency in meeting the needs of youths; and

"(4) providing for the communication of proven effective and efficient job counseling, job information, and job placement programs for youths.

"(b) Demonstration and evaluation projects under this section may include, but shall not be limited to——

"(1) establishing innovative job counseling, job information, and job placement programs and techniques for youths;

"(2) creating new data and data sources, and updating and communicating information, on job and career opportunities;

"(3) identifying effective methods of establishing programs, and for communicating on how to establish programs, of job counseling and job placement that meet the needs of youths and make the most efficient and effective use of job counseling and placement personnel;

"(4) developing multimedia materials which (A) provide information on such areas as career and job opportunities, projected needs for specific skills, and occupations at the local, State, and National levels, and educational and training opportunities and which (B) assist youths in making career and job decisions and in obtaining jobs;

"(5) identifying more effective methods for the training and retraining of job counseling and job placement personnel;

"(6) establishing local councils of educators, employers, union members, community organization members, students, parents, and other interested citizens to bring together sectors of the community concerned with youth, to advise on, oversee, or carry out job counseling and placement projects and programs;

"(7) contracting with other agencies, community-based organizations, private employment services, or other groups with job counseling and placement experience, to provide such services on a demonstration basis;

"(8) establishing a demonstration public or private television program at the local level, on a scheduled basis, which would solicit job listings from employers and give regular job availability bulletins, interview employers about job offerings and requirements, present occupational information, and present other job market information that would be useful to youths;

"(9) developing a local and State occupational inventory of entry-level jobs, as well as summer and part-time jobs;

"(10) establishing demonstration projects to measure educational and skill requirements of entry-level jobs in various occupations, with publication of findings; and

"(11) establishing any other project which the Secretary finds may improve, or provide information which may improve, the job counseling, job information or job placement services available to youths.

"(c) The Secretary shall prepare and submit a report annually to the Congress on projects undertaken under this section, containing a description of each project undertaken, the purpose of each project, and an evaluation of each project.

"PART E—GENERAL PROVISIONS

"DEFINITION

"SEC. 771. As used in this title—

"(1) 'eligible applicant' means any public agency, including any department or agency of the Federal Government, any State or local government agency, and any local educational agency; and any private or public nonprofit organization, including any voluntary organization, any neighborhood organization, any community-based organization, and any labor union;

"(2) 'prime sponsor' means any prime sponsor qualified under title I of this Act;

"(3) 'secondary school' means a day or residential school which provides secondary education, as determined under State law, except that it does not include any education provided beyond grade 12; and

"(4) 'action-learning job' means any job with a public or private employer or community service organization, in which an individual performs a needed service while acquiring and developing skills which will enable the individual to obtain permanent employment on or before the conclusion of employment provided for in this title.

"SPECIAL CONDITIONS

"SEC. 772. (a) Within a reasonable time after receiving funds under parts A and B of this title, the prime sponsor shall—

"(1) place a notice in each daily or weekly newspaper servicing the area under the jurisdiction of the prime sponsor which announces the program under each such part and provides basic information concerning each such program, including an address where more detailed information and application forms may be obtained;

"(2) prepare and make available application forms and other relevant material for eligible applicants which, to the fullest extent practicable, minimize the paperwork burden on each such applicant and are designed to encourage applications from eligible applicants not currently carrying out programs for the prime sponsor; and

"(3) conduct a reasonable number of public meetings at convenient places within the area under the jurisdiction of the prime sponsor to provide information concerning the program.

"(b) A prime sponsor shall not provide any financial assistance to any eligible applicant under parts A, B, and C of this title unless the prime sponsor determines, in accordance with such regulations as the Secretary shall prescribe, that—

"(1) the project or program (A) will result in an increase in employment opportunities over those opportunities which would otherwise be available, (B) will not result in the displacement of currently employed workers, including partial displacement such as a reduction in the hours of nonovertime work or wages or employment benefits, (C) will not impair existing contracts for services or result in the substitution of Federal or other funds in connection with work that would otherwise be performed, and (D) will not substitute jobs assisted under this part for existing federally funded jobs;

"(2) youths employed in jobs assisted under parts A, B, or C will be paid wages which will not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, as amended, or (B) the State or local minimum wage for the most nearly comparable covered employment;

"(3) persons employed in necessary technical, administrative, supervisory, or support positions assisted under part A shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, (C)(i) in the case of those applicants which are States, political subdivisions, local educational agencies, or public institutions of higher education, the prevailing rates of pay for persons employed in similar public occupations by the same employer or, (ii) in the case of those applicants which are nonprofit private organizations or institutions, the appropriate prevailing wages determined in accordance with the Service Contract Act of 1965, or the prevailing rates of pay for persons employed in similar occupations by the same employer, whichever is higher, or (D) in the case of persons performing work of the type to which the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5) applies, the prevailing wage determined in accordance with that Act; except that the provisions of this paragraph shall not apply if the necessary technical, administrative, supervisory, or support personnel are regularly employed by the eligible sponsor and are employed by funds not appropriated under this part, in which case the wages of the technical, administrative, supervisory, or support personnel shall be governed by the provisions of law applying to their regular employment;

"(4) appropriate workmen's compensation, health insurance, and other benefits will be provided to youths and other persons employed in jobs assisted under such parts, except that, pursuant to regulations of general applicability prescribed by the Secretary, the Secretary may arrange for the direct Federal provision of such benefits whenever he determines that an eligible applicant by reason of size or resources is ill-equipped to provide such benefits;

"(5) the provisions of section 2(a)(3) of Public Law 89–286 (relating to health and safety conditions) shall apply to programs and projects assisted under such parts; and

"(6) every youth employed in programs and projects assisted under such parts will be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

"(b) The Secretary shall prescribe regulations to insure that programs and projects assisted under this title have adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary to promote the effective use of such assistance, except that no regulations prescribed under this subsection shall impose unreasonable burdens upon eligible applicants that are ill-equipped by reason of size or resources to comply.

"(c) The Secretary shall prescribe regulations to insure that periodic reports will be submitted to him by prime sponsors containing data designed to enable the Secretary and the Congress to measure the relative effectiveness of this title and other federally funded job programs for youths. Such data shall include information on—

"(1) characteristics of participants including age, sex, race, health, educational level, and previous wage and employment experience; and

"(2) total dollar cost per participant, including breakdown between wages, training, all fringe benefits, supplies and equipment, and administrative costs;

except that no regulations prescribed under this subsection shall impose unreasonable burdens upon eligible applicants that are ill equipped by reason of size or resources to comply.

"(d) A prime sponsor shall not provide financial assistance for any program or project under this title which involves political activities; and neither the program, the funds provided therefor, nor personnel employed in the administration thereof shall be in any way or to any extent engaged in the conduct of political activities in contravention of chapter 15 of title 5, United States Code. The Secretary shall prescribe regulations to carry out the provisions of this subsection.

"(e) Each prime sponsor may by regulation, permit youth who have attained fourteen years of age but not sixteen years of age, and who are enrolled in school, to participate in any program or project under part A, B, or C of this title if—

"(1) the job for which assistance is provided under each such part is a part-time job; and

"(2) the job is reasonably related to the continuation of such a youth in secondary school.

"EDUCATION WORK COMMITTEE OF PRIME SPONSOR'S PLANNING COUNCIL

"SEC. 773. (a) Each prime sponsor shall establish an Education-Work Committee of the planning council of such sponsor established under section 104. Each such committee shall be convened by the prime sponsor, and shall be composed of members who are representative of: (1) the prime sponsor; (2) the local educational agency or agencies; (3) local business and industry; (4) local labor organizations; and (5) the local United States Employment Service office or offices.

"(b) (1) The representative of the prime sponsor shall serve as the chairman of the committee.

"(2) The prime sponsor shall provide such professional, technical, and clerical staff as is necessary to serve the committee.

"(c) The committee shall advise in the development of the terms and conditions of the contracts between the prime sponsor and the local educational agency or agencies under part C of this title. In addition, each member of the committee shall approve, or withhold approval of, such contracts.

When approval is withheld, the withholding member must state in writing the reasons and provide the committee in writing a suggested alternative which he would approve. No such contract under part C shall be carried out without the approval of each member of the committee.

"(d) The committee shall make recommendations concerning the approval of programs and projects under parts A, B, and D of this title, and assist in organizing and coordinating activities at the local community level which strengthen the process of transition from school to work for youth.

"(e) The committee shall prepare a local career development plan which includes a general plan of the programs to be carried out under this title, and make recommendations for coordinating such activities with other related activities which are carried out by organizations represented on the committee.

"(f) Except with respect to programs conducted under part C of this title, any final decision with respect to recommendations submitted by the committee shall be made by the prime sponsor.

"PAYMENTS

"SEC. 774. (a) The prime sponsor shall pay to each eligible applicant having an application approved under this title by the prime sponsor, the amount which the applicant is entitled to receive under this title.

"(b) Payments made to eligible applicants, may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Secretary may determine.

"RESPONSIBILITY TO YOUTHS

"SEC. 775. (a) Nothing in this title shall be construed by any prime sponsor as reducing the responsibility of that prime sponsor to youths under any other title of this Act.

"(b) Each prime sponsor shall endeavor to coordinate activities and programs authorized under this title with similar activities or programs authorized under other provisions of this Act and other relevant provisions of Federal laws.".

DEFINITION OF YOUTH

SEC. 102. Section 801(a) of such Act (as redesigned by section 101 of this Act) is amended by adding at the end thereof the following new paragraph:

"(15) 'Youth' means any individual who has attained sixteen years of age but not twenty-two years of age.".

TITLE II—NATIONAL CONSERVATION CORPS

SHORT TITLE

SEC. 201. This title may be cited as the "National Conservation Corps Act of 1977".

PROGRAM AUTHORIZED

SEC. 202. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; 42 U.S.C. prec. 2711 note; 16 U.S.C.A. 1701–06) (hereafter in this Act referred to as the Youth Conservation Corps title), is amended by adding at the end thereof the following new title:

"TITLE II—NATIONAL CONSERVATION CORPS

"FINDINGS AND PURPOSE

"SEC. 201. (a) The Congress finds—

"(1) that young American workers bear an excessive burden of unemployment and have a difficult time finding productive and useful jobs;

"(2) that young workers experience unemployment more often and for longer periods of time;

"(3) that prolonged periods of unemployment for young workers limit their ability to obtain job skills, work experience, and work attitudes needed for more skilled, more productive, and higher-paying jobs in the Nation's economy, resulting in a significant economic loss both to young workers and the Nation's economy;

“(4) that high unemployment among the Nation's youths strains the social service resources at the Federal, State, and local levels and reduces tax revenues;

“(5) that large inventories of conservation work and other work of a public nature exists within the national park system, the national forest system, the national wilderness system, and on State, municipal, and other public land and water areas of the United States which require a large investment of labor and relatively small investment of capital to be successfully carried out;

“(6) that much of the conservation work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fire prevention, trail and campground improvement, and insect, soil erosion and flood control, can be accomplished by youths working under adult supervision at a minimal cost to the Nation; and

“(7) that work on such projects can provide significant economic benefits to youths and the Nation by providing youths with job skills, work experience, and work attitudes which they might not otherwise obtain.

“(b) It is the purpose of this title to provide useful employment and a decent income, valuable work experience and job skills, and good work habits to youths on projects which reduce the current inventory of conservation work or which provide a public benefit on the public lands and waters of the United States or any subdivision thereof.

"NATIONAL CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereinafter in this title referred to as the 'Secretaries') shall establish a National Conservation Corps (hereinafter in this title referred to as the 'Corps') for the purpose of providing employment and training for youths in projects which reduce the inventory of conservation work or provide public benefits in connection with the conservation, protection, reforestation, regeneration, improvement, development, utilization, maintenance, or enjoyment of the natural resources of lands and waters under the ownership or control of the United States, any agency thereof, or of any State or any subdivision thereof.

"NATIONAL CONSERVATION CORPS MEMBERSHIP

"SEC. 203. (a) Individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if any such individual resides in any labor market areas having substantial or persistent unemployment as determined by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"(b) Individuals shall be employed as Corps members without regard to race, color, religion, sex, or national origin, and without regard to the civil service or classification laws, rules, or regulations.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 204. (a) In carrying out this title, the Secretary of the Interior and the Secretary of Agriculture shall—

"(1) determine, with the cooperation of other Federal agencies, the areas under the administrative jurisdiction of the Secretaries or other areas as provided under section 206(b) which are appropriate for carrying out programs or projects employing members of the Corps;

"(2) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

"(3) employ such individuals in such projects as—

"(A) tree nursery operations, planting, pruning, thinning, and other silvicultural measures;

"(B) erosion control and flood damage;

"(C) wildlife habitat improvements;

"(D) range management improvements;

"(E) recreation development, rehabilitation, and maintenance;

"(F) forest insect and disease control, road and trail improvements, and wildlife preservation;

"(G) general sanitation, cleanup, and maintenance of State and public lands; and

"(H) other similar conservation projects;

"(4) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are relatively labor intensive;

"(B) have work plans or for which work plans could be readily developed;

"(C) may be initiated promptly; and

"(D) are productive;

"(5) provide no fewer than one supervisor for each ten participating youths, and provide that the supervisory personnel are adequately trained in skills needed to carry out the program or project and can instruct participating youths in skills needed to carry out the program or project;

"(6) to the maximum extent practicable employ such individuals in areas where existing residential facilities are available;

"(7) to the maximum extent practicable employ such individuals in activities similar to activities of those employed in seasonal and part-time employment, in the case of the Secretary of the Interior, in the National Park Service, Bureau of Outdoor Recreation, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Bureau of Land Management, and the Bureau of Indian Affairs, and, in the case of the Secretary of Agriculture, in the Forest Service and the Soil Conservation Service;

"(8) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall the rates be set at less than the current Federal minimum wage, set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended;

"(9) provide for the safety, health, and welfare of Corps members;

"(10) assure to the maximum extent feasible that the Corps program—

"(A) will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work or wages or employment benefits);

"(B) will not impair existing contracts for services or result in the substitution of Federal or other funds in connection with work that would otherwise be performed; and

"(C) will not substitute jobs of Corps members for existing federally assisted jobs.

"(11) promulgate regulations for the implementation and administration of the provisions of this title, within sixty days of its enactment.

"(b) Existing but unoccupied Federal facilities and surplus or unused equipment, or both, of all types including military facilities and equipment may be used by Corps members, where appropriate and with the approval of the Federal agency involved, except that in carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"(c) The Secretaries are authorized to contract with any public agency or organization which has been in existence for at least five years prior to the date of enactment of this Act, for the operation of any Corps project.

"(d) The Secretaries are authorized to enter into such agreements with Federal, State, and local agencies (public or private) as may be necessary for the purpose of utilizing the services and facilities thereof to support Corps projects. To the extent not otherwise available on a nonreimbursable basis, the Secretary may reimburse such agencies for services and facilities provided under this section.

"APPLICATION OF PROVISIONS OF FEDERAL LAW

"Sec. 205. Except as otherwise specifically provided in the following paragraphs of this section, Corps members shall not be deemed Federal employees and shall not be subject to the provisions of law relating to Federal employment including those regarding hours of work, rates of compensation, leave, unemployment compensation, and Federal employee benefits:

"(1) For purposes of the Internal Revenue Code of 1954 (26 U.S.C. 1 et seq.) and title II of the Social Security Act (42 U.S.C. 401 et seq.), Corps members shall be deemed employees of the United States and any service performed by a person as a Corps member shall be deemed to be performed in the employ of the United States.

"(2) For purposes of subchapter 1 of chapter 81 of title 5 of the United States Code, relating to compensation to Federal employees for work injuries, Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee' as defined in section 8101 of title 5, United States Code, and provisions of that subchapter shall apply, except that the term 'performance of duty' shall not include any act of a Corps member while absent from his or her assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from such post of duty) authorized by or under the direction and supervision of the Secretary.

"(3) For purposes of chapter 171 of title 28 of the

United States Code, relating to tort claims procedure, Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee of the Government' as defined in section 2671 of title 28, United States Code, and provisions of that chapter shall apply.

"(4) For purposes of section 5911 of title 5 of the United States Code, relating to allowances for quarters, Corps members shall be deemed civil employees of the United States within the meaning of the term 'employee' as defined in that section, and provisions of that section shall apply.

"GRANTS FOR STATE AND MUNICIPAL PROJECTS

"SEC. 206. (a) (1) The Secretaries are authorized to make grants to the States and to subdivisions thereof to assist them in employing youths to carry out projects described in section 204 of this title on non-Federal public lands and waters.

"(2) For the purposes of this section, the term 'States' includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

"(b) (1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretaries. Such application shall be in such form, and submitted in such manner, as the Secretaries shall by regulation prescribe, and shall contain—

"(A) assurances satisfactory to the Secretaries that the applicant shall administer the project for which application is submitted in accord with the provisions of section 204;

"(B) assurances satisfactory to the Secretaries that individuals employed under the project for which application is submitted shall meet the eligibility requirements of section 203; and

"(C) such other assurances and information as the Secretaries may require.

"(2) The Secretaries may approve applications which they determine—

"(A) meet the requirements of paragraph (1) of this subsection, and

"(B) describe projects similar to projects described in section 204 of this title on non-Federal public lands or waters within the jurisdiction or control of the applicant.

"(c) Of the sums appropriated under section 209(b) for the fiscal year beginning October 1, 1977, not more than 25 per centum shall be made available for grants under this section. Of the sums appropriated under section 209 (b) for the fiscal year beginning October 1, 1978, not more than 30 per centum shall be made available for grants under this section. Amounts reserved for this section in any subsequent fiscal year shall be determined by the Congress after receiving the recommendations of the Secretaries of Agriculture and Interior in the report required by section 207. Within ninety days from the date such report is referred to the House Committee on Education and Labor and the Senate Committee on Interior and Insular Affairs, each such committee shall report legislation providing authorizations for the fiscal year to which the report refers.

"(d) The States and political subdivisions thereof, in employing youths in the grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 204 (b).

"(e) (1) The amount of any grant under this section shall be determined by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of such project.

"(2) Payments of grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretary find necessary.

"SECRETARIAL REPORTS

"SEC. 207. The Secretaries shall prepare jointly and submit to the President and the Congress a report detailing the activities carried out under this title for each fiscal year. Such report shall be submitted not later than February 1 of each year following the date of enactment of this Act. The Secretaries shall include in such report such recommendations as they deem appropriate for changes in the percentage of funds allocated to States and political subdivisions thereof, under section 206(c).

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 208. (a) During the period beginning on the date of enactment of this title and ending on October 1, 1977, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the Corps, a list and description of the work projects initially selected by the Secretaries for the Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the Corps under this title. In preparing such plan, the Secretaries shall plan for a capacity of the Corps to employ one hundred thousand youths under this title during its first fiscal year of operation, two hundred thousand youths during its second fiscal year of operation, two hundred and fifty thousand youths during its third fiscal year of operation, and three hundred thousand youths during its fourth fiscal year of operation.

"(b) No youths shall be employed in the Corps under section 202 and no grants shall be made to the States, and political subdivisions thereof, under the grant program of section 206 until January 1, 1978.

"(c) The Secretaries shall submit to the Congress the plan required by subsection (a) no later than October 1, 1977. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 209. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 207 of this title, and for preparing the sites, facilities, and equipment selected in such plan (utilizing persons eligible for employment under this title, where practicable),

$50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated in addition to the amounts appropriated under subsection (a) for the purpose of carrying out this title, such sums as may be necessary for the fiscal year beginning October 1, 1977, and for each of the three succeeding fiscal years.".

TECHNICAL AMENDMENTS

SEC. 203. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104(d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106";

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title"; and

(5) adding after section 106 (as redesignated by clause 2 of this section) the following new section:

"SHORT TITLE

"SEC. 107. This title may be cited as the 'Youth Conservation Corps Act' ".

TITLE III—JOB CORPS

INCREASED APPROPRIATIONS

SEC. 301. Title IV of the Comprehensive Employment and Training Act of 1973 is amended by adding at the end thereof the following new section:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 420. In addition to amounts authorized by any other provision of this Act, there are authorized to be appropriated $150,000,000 for the fiscal year 1978 and for each succeeding fiscal year thereafter to carry out the provisions of this title.".

95TH CONGRESS
1ST SESSION

S. 170

A BILL

To provide meaningful and productive work for the Nation's youths, and to provide comprehensive job counseling and placement services for youths, and for other purposes.

By Mr. HUMPHREY, Mr. ABOUREZK, Mr. CASE, Mr. INOUYE, Mr. JAVITS, and Mr. MATSUNAGA

JANUARY 11 (legislative day, JANUARY 10), 1977
Read twice and referred to the Committee on Labor and Public Welfare

CE

95TH CONGRESS
1ST SESSION

S. 494

U S DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION
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IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 19), 1977

Mr. JACKSON (for himself, Mr. MAGNUSON, and Mr. RANDOLPH) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

A BILL

To amend the Youth Conservation Corps Act of 1970 (84 Stat. 794).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Pilot Young Adult Conservation Corps Act".

SEC. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; as amended, 16 U.S.C. 1701–1706), is amended by—

(1) adding at the end thereof the following new title:

II

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"PURPOSE

"SEC. 201. It is the purpose of this title to—

"(1) make timely and useful employment opportunities available to a segment of the American population which bears an excessive burden of unemployment, especially in areas where such unemployment is most severe, by employing young adults who would not otherwise be currently productively employed to reduce the inventory of conservation work and complete many other projects of a public nature on the lands and waters of the United States; and

"(2) provide for the prompt implementation of this title by complementing, and building on the existing structure of, the highly successful Youth Conservation Corps program to employ twenty thousand young adults within ninety days, and an additional twenty thousand young adults within one hundred and eighty days, after the enactment of this title.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of

young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, or, if such data is not kept by counties, such other statistical area basis as is used within the State involved, as determined by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

“SECRETARIAL DUTIES AND FUNCTIONS

“SEC. 202. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

“(1) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

“(2) to the maximum extent practicable employ Corps members in areas where existing residential facilities are available; and

“(3) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall rates be set at less than the current Federal minimum wage, set forth in section 6(a) (1) of the Fair Labor Standards Act of 1938, as amended.

“(b) Existing but unoccupied Federal facilities and surplus or unused equipment, or both, of all types including military facilities and equipment may be used by Corps members, where appropriate and with the approval of the Federal agency involved.

"SEC. 203. To carry out the provisions of this title, there are authorized to be appropriated $40,000,000 for the period beginning on the date of enactment of this title and ending September 31, 1978. The Secretaries shall report to the Congress on or before the one hundred and ninetieth day after the enactment of this title concerning the program implementation goals set forth in section 201 (2) of this title. Notwithstanding any other provision of law, funds appropriated to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

(2) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(3) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(4) striking out "section 6" in section 104 (d) (as redesignated by clause 3 of this section) and inserting in lieu thereof "section 106"; and

(5) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 3 of this section) and inserting in lieu thereof "title".

95TH CONGRESS
1ST SESSION

S. 494

A BILL

To amend the Youth Conservation Corps Act of 1970 (84 Stat. 794).

By Mr. JACKSON, Mr. MAGNUSON, and Mr. RANDOLPH

JANUARY 28 (legislative day, JANUARY 19), 1977
Read twice and referred to the Committee on Interior and Insular Affairs

CE

95TH CONGRESS
1ST SESSION

S. 503

U S DEPARTMENT OF HEALTH.
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
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IN THE SENATE OF THE UNITED STATES

JANUARY 28 (legislative day, JANUARY 19), 1977

Mr. McCLURE (for himself, Mr. BAKER, Mr. BELLMON, Mr. DANFORTH, Mr. DOMENICI, Mr. GARN, Mr. HANSEN, Mr. HATCH, Mr. HAYAKAWA, Mr. JAVITS, Mr. LAXALT, Mr. LUGAR, Mr. SCHMITT, Mr. STEVENS, and Mr. WALLOP) introduced the following bill; which was read twice and referred to the Committee on Labor and Public Welfare

---

A BILL

To expand manpower services available to youths, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Employment Act".

SEC. 2. The Comprehensive Employment and Training Act of 1973 is amended by redesignating title VII, and all references thereto, as title VIII, by redesignating sections 701 through 714, and all references thereto, as sections 801 through 814, respectively; and by inserting after title VI the following new title:

"TITLE VII—COMPREHENSIVE EMPLOYMENT SERVICES FOR YOUTHS

"YOUTH MANPOWER SERVICES PROGRAM

"SEC. 701. (a) The Secretary is authorized to provide financial assistance to eligible applicants for comprehensive manpower services for economically disadvantaged, unemployed, and underemployed youths who have attained fourteen years of age but not twenty-five years of age.

"(b) Such program of financial assistance shall emphasize training and the development and creation of job opportunities, and shall also include education and other services needed to enable youths to secure and maintain employment at their maximum capacity. Comprehensive manpower services may include, but shall not be limited to, programs and activities designed to carry out the purpose of this title, such as—

"(1) outreach to make youths aware of the availability of manpower services and persuade them to use such services;

"(2) assessment of the youth's needs, interests, and potential in the labor market and referral to appropriate employment, training, or other opportunities;

"(3) orientation, counseling, education, and institutional skill training to prepare the youth to enter the labor market or to qualify for more productive job opportunities;

"(4) vocational exploration in the private profit and nonprofit sectors;

"(5) placing and providing supportive services for youth in part-time or full-time employment and useful work experience in private profit and nonprofit organizations;

"(6) training reimbursements for training costs for out-of-school youth for public and private profit and nonprofit organizations for training and placement in a training-related field;

"(7) training on the job in public and private profit and nonprofit organizations for out-of-school youth;

"(8) payments or other inducements to public or private employers to expand job opportunities, but payments to employers organized for profit shall not exceed the difference between the costs of recruiting, training, and providing supportive services for low-income persons and those regularly employed;

"(9) programs to provide incentives to private employers to train or employ unemployed or low-income youths, including arrangements by direct contract, reimbursements to employers for a limited period when an employee might not be fully productive, payment for on-the-job counseling and other supportive services, payment of all or part of employer costs of sending recruiters into urban and rural areas of high concentrations or proportions of unemployed or low-income persons, and payments to permit employers to provide employees resident in such areas with transportation to and from work or to reimburse such employees for such transportation: *Provided,* That in making such reimbursements to employers the prime sponsor shall assure that wages paid any employee shall not be less than the minimum wage which would be applicable to employment under the Fair Labor Standards Act of 1938 if section 6 of such Act applied to the employee and he was not exempt under section 13 thereof;

"(10) services to youths to enable them to retain employment;

"(11) payment of allowances to youths in classroom training, work experience or on-the-job training for which they receive no remuneration and payment of such allowances for transportation, subsistence, or other expenses incurred in participating in manpower services or employment as are necessary to enable the individual to participate therein;

"(12) supportive services to enable youths to take advantage of employment opportunities, including necessary health care and medical services, child care, residential support, assistance in securing bonds, or any other necessary assistance incident to employment, and any other service needed to participate in employment or manpower services;

"(13) development of information concerning the labor market and activities, such as job restructuring, to make it more responsive to objectives of the manpower services program;

"(14) manpower training, employment opportunities, and related services conducted by community-based organizations;

"(15) transitional public service employment programs;

"(16) programs to provide part-time employment, on-the-job training, and useful work experience for youths from low-income families who are in the ninth through twelfth grades of school (or who are of an age equivalent to that of students in such grades) and who are in need of the earnings to permit them to resume or maintain attendance in school;

"(17) programs to provide unemployed, underemployed, or low-income youth with useful work and training (which must include sufficient basic education and institutional or on-the-job training) designed to assist those youth to develop their maximum occupational potential and to obtain regular competitive employment;

"(18) summer youth jobs programs, including jobs in recreation and related programs, for economically disadvantaged youths during the summer months; and

"(19) any programs authorized by part A of title III and by title IV of this Act.

"(c) Notwithstanding any other provisions of law, unless enacted in specific limitation of the provisions of this subsection, any services, stipends, allowances, or wages paid to a youth under this Act shall not be counted as family income of the parents or guardians of such youth in determination of eligibility or rate for any income assistance or income transfer program to which the family is entitled.

"AUTHORIZATION OF APPROPRIATION

"SEC. 702. (a) There are authorized to be appropriated to carry out the provisions of this Act $1,000,000,000 for fiscal year 1977, $2,800,000,000 for fiscal year 1978 and for each of the two succeeding fiscal years thereafter.

"(b) The provisions of section 4 (b) and (c) of this Act shall apply to the authorization of appropriation in this section.

“ALLOCATION OF FUNDS

“SEC. 703. (a) Ninety per centum of the amount available for this title in any fiscal year shall be allotted in accordance with the provisions of this subsection—

“(1) 50 per centum of the amount allotted under this subsection shall be allotted on the basis of the relative number of unemployed youths in the State as compared to such numbers in all States, and

“(2) 50 per centum of the amount allotted under this subsection shall be allotted on the basis of the relative number of youths from families with an annual income below the low-income level within the State as compared to such total numbers in all States.

“(b) Ten per centum of the amount available for this title in any fiscal year shall be available to the Secretary for payments for the cooperative programs bonus and for dissemination as provided in sections 707 and 709 of this Act.

“(c) The Secretary is authorized to make reallocations under this tide consistent with section 103 (i) of this Act.

“ELIGIBLE APPLICANTS

“SEC. 704. (a) Financial assistance under this title shall be available to—

“(1) prime sponsors as defined in section 102 of this Act;

“(2) a county, or an association of counties, not designated as a prime sponsor and not already served by a prime sponsor described in paragraph (2), (3), (4), or (5) of section 102(a) of this Act may be considered a program agent for the purposes of carrying out a youth program authorized under this title if that county, or association of counties, submits a youth plan to the balance of State prime sponsor for approval;

"(3) Indian tribes on Federal or State reservations, or other federally recognized Indian tribal groups.

Each plan required by clause (2) of this subsection shall meet the objectives of this title and include (i) a description of the geographical areas to be served under the plan; (ii) a description of the services to be provided, and performance goals; and (iii) a description of the youths to be served by the program.

"(b) To the maximum extent feasible, programs or components of programs conducted under this title shall be linked to comprehensive work and training programs conducted by prime sponsors under title I of this Act.

"CONDITIONS FOR RECEIPT OF FINANCIAL ASSISTANCE

"SEC. 705. (a) The Secretary shall not provide financial assistance under this title for any fiscal year to a prime sponsor unless such sponsor—

"(1) includes in its comprehensive manpower plan submitted pursuant to section 105 of this Act a description of the program to be provided to youth containing provisions consistent with provisions of this title and consistent with the requirements of sections 105 and 106 of this Act, and

"(2) provides assurances that to the maximum extent feasible manpower services, including the development of job opportunities, will be provided to those most in need of them, including low-income youths and youths of limited English-speaking ability, and that the need for continued funding of programs of demonstrated effectiveness is taken into account in serving such groups and youths.

"(b) The Secretary is authorized to encourage prime sponsors under title I of this Act to continue to serve youth under that title to the extent practicable based on local needs and conditions.

"(c) In order to avoid costly duplication of effort and facilities, the comprehensive manpower plan submitted pursuant to this section shall also include a description of the relationship and coordination of services provided to youth under this title to all similar services offered by local education agencies within the prime sponsor's jurisdiction and by community-based organizations which provide manpower services, such as opportunities industrialization centers, urban league, and community action agencies.

"MANPOWER COUNCILS

"SEC. 706. (a) Prime sponsor's planning councils established pursuant to section 104 of this Act shall serve in the same capacity for programs for youth established under this title, except that a minimum of 10 per centum of the membership of such council shall be youths.

"(b) State manpower services councils established pursuant to section 107 of this Act shall serve in the same capacity for programs for youth established under this title. Such council shall be required to include youth representatives.

"COOPERATIVE PROGRAM BONUS

"SEC. 707. (a) (1) Any prime sponsor under this Act which engaged, in the year preceding the year for which the sponsor is applying under this section, in a cooperative education or training project with a local or State education agency shall be eligible to receive a bonus equal to ten per centum of the prime sponsor expenditures in the project. Such bonus shall be used for the purposes of this title.

"(2) Each prime sponsor eligible to receive a bonus under this section may make an application therefor at such time and in such manner as the Secretary may prescribe.

"(3) If the sum appropriated for any fiscal year for making payments to States under this section are not sufficient to pay in full the amount to which each State is entitled under this section for such fiscal year, the amounts which all States may receive under this section for such fiscal year shall be rateably reduced. In case additional funds become available for making such payments for any fiscal year during which the preceding sentence is applicable, such reduced amounts shall be increased on the same basis as they were reduced.

"EVALUATION

"SEC. 708. (a) Programs provided under this title for youth are subject to annual performance evaluation pursuant to the provisions of section 313 of this Act.

"(b) The Comptroller General is authorized to review the effectiveness of the services provided to youth under this Act and is directed to report findings and make recommendations to the Congress prior to March 1, 1980.

"DISSEMINATION

"SEC. 709. The Secretary is authorized to identify and disseminate information concerning exemplary practices and projects developed by prime sponsors under programs assisted under this title, to provide support for prime sponsors to identify and disseminate such information, and to make grants to prime sponsors for such purposes. A maximum of two-and-a-half per centum of the funds available under section 703 (b) may be used for such purposes.

"FEDERAL ADMINISTRATION

"SEC. 710. (a) The provisions of sections 108, 109, 110, and 111 of this Act relating to review of plans, judicial review, secretarial authority to provide services, and training allowances shall apply to the program authorized by this title.

"(b) All provisions of title VIII of this Act, relating to general provisions, which apply to title I shall also apply to this title.".

ADMINISTRATION

SEC. 3. (a) Not more than 20 per centum of the funds allocated pursuant to section 703 (a) shall be expended for administrative services.

(b) All funds available for prime sponsors for administrative costs under titles I, II, III, VI, and VII of the Comprehensive Employment and Training Act of 1973 may be obligated for the payment of administrative costs for any such title.

(c) Each prime sponsor is encouraged to negotiate for use of any local Federal resources and facilities, including military, and Federal personnel are directed to make such available to the maximum extent possible in light of the mission of the Federal installation and consistent where appropriate with provisions of the Federal Property and Administrative Services Act of 1949.

REPEALERS

SEC. 4. Section 304(a) (1), (2), and (3) of the Comprehensive Employment and Training Act of 1973 pertaining to Summer Youth Employment is hereby repealed as of September 30, 1977.

95TH CONGRESS
1ST SESSION

S. 503

A BILL

To expand manpower services available to youths, and for other purposes.

By Mr. McCLURE, Mr. BAKER, Mr. BELLMON, Mr. DANFORTH, Mr. DOMENICI, Mr. GARN, Mr. HANSEN, Mr. HATCH, Mr. HAYAKAWA, Mr. JAVITS, Mr. LAXALT, Mr. LUGAR, Mr. SCHMITT, Mr. STEVENS, and Mr. WALLOP

JANUARY 28 (legislative day, JANUARY 19), 1977
Read twice and referred to the Committee on Labor and Public Welfare

208

CE

95TH CONGRESS
1ST SESSION

H. R. 20

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. YOUNG of Georgia introduced the following bill; which was referred to the Committee on Education and Labor

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A BILL

To provide employment opportunities for youth in the public and private sectors of the economy, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Youth Initiatives Act of 1977".

STATEMENT OF PURPOSE

SEC. 2. It is the purpose of this Act—

(1) to stimulate the creation of employment opportunities for youth in the public and private sectors of the national economy;

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EDUCATION & WELFARE
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(2) to provide goods and services to the Nation which otherwise would not be available to States and localities;

(3) to assure that youths participating in programs under this Act will receive at least a one-year work experience during which such youths will (A) receive an appropriate income; and (B) have an opportunity to develop a better knowledge of their career interests and aptitudes and further their education and training;

(4) to assist youths in the development of employment skills;

(5) to improve the effectiveness of labor market operations in providing jobs and training to youths; and

(6) to encourage cooperation between Federal, State, and local governments and the private sector in order to provide youths with opportunities to serve in meaningful and self-supporting roles in society.

TITLE I—YOUTH INITIATIVES PROGRAMS

ESTABLISHMENT OF PROGRAMS AND OFFICE

SEC. 101. (a) (1) There is established a national youth service program which shall be carried out in accordance with the provisions of this title, and which shall be designed to provide assistance to States, local governments, and private nonprofit organizations for the employment of youths. Such program shall have the goal of providing employment opportunities for at least two hundred fifty thousand youths each year.

(2) There is established an opportunities in private enterprise program which shall be carried out in accordance with the provisions of this title, and which shall be designed to provide assistance to business concerns for the employment of youths. Such program shall have the goal of providing employment opportunities for at least thirty-five thousand youths each year.

(b) There is established, in the Executive Office of the President, an office to be known as the Office of Youth Initiatives.

(c) The Office shall—

(1) carry out the functions established in section 202; and

(2) unless the President makes any designation under subsection (d), carry out the provisions of this title.

(d) The President may, no later than ninety days after the date of the enactment of this Act, designate any Federal agency or agencies which the President considers to be appropriate to carry out the provisions of this title.

ESTABLISHMENT OF COMMISSIONS

SEC. 102. (a) Any local jurisdiction which desires to participate in any program established in section 101 (a) shall establish a commission in accordance with the provisions of this section.

(b) (1) Any State which desires to participate in any program established in section 101 (a), with respect to any area in such State which is not served by a local jurisdiction, may receive allocations directly from the Federal administering agency under section 103, unless such State establishes a commission under paragraph (2).

(2) (A) Any State which desires to establish a commission for purposes of participating in any program established in section 101 (a) may transmit a proposal for the establishment of such commission to the Federal administering agency. Any such commission shall be established in accordance with the provisions of this section.

(B) The Federal administering agency shall approve any proposal submitted under subparagraph (A) which meets the requirements of this section.

(c) Any commission established under this section may use, for its administrative functions, not more than one-half of 1 per centum of the amount allocated to the State or local jurisdiction involved as the case may be for any fiscal year, except that any such amount shall be matched from non-Federal funds.

(d) (1) Each commission shall have not less than fifteen, nor more than thirty, members. In the case of a commission established by a local jurisdiction (A) one-half of the members of such commission shall be appointed by the chief executive officer of the local jurisdiction and the remainder shall be appointed by the chief executive officer of the State; and (B) to the extent practicable, one-half of the members appointed under subparagraphs (A), and (B) of paragraph (2) shall be appointed by the chief executive officer of the local jurisdiction and the remainder shall be appointed by the chief executive officer of the State. In the case of a commission established by a State, the members of such commission shall be appointed by the chief executive officer of the State after soliciting and receiving recommendations from local jurisdictions and organizations representing and serving youth throughout the State involved.

(2) The members of each commission shall be selected as follows:

(A) (i) one-fourth shall be selected from among officers and employees of entities which may be eligible applicants;

(ii) one-fourth shall be selected from among individuals active in the field of education and training;

(iii) one-fourth shall be selected from among individuals representative of groups and organizations involved in meeting the special needs of youth; and

(iv) one-fourth shall be selected from among interested members of the general public; and

(B) one-fourth of the total membership of the commission shall be comprised of individuals who are less than twenty-five years of age.

(c) Each commission shall—

(1) be responsible for the distribution of funds received by a State or a local jurisdiction;

(2) review and approve applications of eligible applicants in accordance with section 105;

(3) prepare annual program evaluations and reviews for submission to the chief executive officer of the State involved and to the Federal administrative agency; and

(4) disseminate information to eligible applicants and to youth who may be eligible to participate in such programs, and provide for outreach and recruiting activities designed to encourage participation by youths described in subparagraph (A) through subparagraph (D) of section 105(c)(1).

(e) No member of a commission who, or whose family member has any interest in the activities of any eligible applicant may participate in any way in the consideration of the application of such eligible applicant under subsection (d) (2).

ALLOCATION OF FUNDS

SEC. 103. (a) (1) The Federal administering agency shall allocate not less than 90 per centum of the funds appropriated under section 203 in any fiscal year to States in accordance with the following factors:

(A) the number of youths residing in each State;

(B) the number of individuals residing in each State who are members of families with incomes below the low-income level; and

(C) the rate of unemployment in each State.

(2) The Federal administering agency shall allocate not more than 10 per centum of the funds appropriated under section 203 in any fiscal year to States in such manner as the head of such agency considers appropriate to carry out the purposes of programs established in section 101 (a).

(b) (1) Each State shall allocate not less than 90 per centum of the funds received by such State under subsection (a) to (A) local jurisdictions, and (B) the appropriate State agency (or the commission established under section 102 (b) (2)) with respect to any area of the State which is not served by a local jurisdiction, in accordance with the following factors:

(i) the number of youths residing in the area involved;

(ii) the number of individuals residing in the area involved who are members of households with incomes below the low-income level; and

(iii) the rate of unemployment in the area involved.

(2) Each State shall allocate not more than 10 per centum of the funds received by such State under subsection (a) to (A) local jurisdictions, and (B) the appropriate State agency (or the commission established under section 102 (b) (2)) with respect to any area of the State which is not served by a local jurisdiction, in such manner as the chief executive officer of such State considers appropriate to carry out the purposes of programs established in section 101 (a). Allocations under this paragraph may include incentive payments to local jurisdictions which submit a joint application under subsection (c) as the result of overlapping populations as described in section 201 (5).

(c) Any local jurisdiction which desires to receive an allocation under subsection (b) shall transmit an application for such allocation to the State involved. Such application shall include a plan which describes the manner in which the local jurisdiction will carry out the requirements of sections

104 and 105. Such application shall be approved no later than sixty days after its receipt, unless the State determines, after conducting a public hearing, that such application is not consistent with this Act or any applicable State law.

DISTRIBUTION OF FUNDS BY COMMISSIONS AND STATES

SEC. 104. (a) Any commission or State, in approving applications under section 105, shall assure that not less than 75 per centum of the youths participating under programs established in section 101 (a) in the local jurisdiction or State involved—

(1) are members of families with income below the low-income level; and

(2) (A) have been unemployed (i) for fifteen consecutive weeks immediately before their selection for participation in such programs; or (ii) for not less than one-half of the weeks of the calendar year during which such application is made; or (B) are unemployed and have been out of school for one complete term immediately before their application to participate in such programs.

(b) Any State or local jurisdiction which receives an allocation under section 103 may retain not more than one-half of 1 per centum of such allocation in any fiscal year for use in administering programs under this title. Any funds retained under this subsection shall be matched in cash by the State or local jurisdiction.

APPLICATIONS

SEC. 105. (a) Any eligible applicant which desires to carry out a project under this title may transmit an application to the appropriate commission or State, as the case may be. Any such application shall also comply with regulations of the Federal administering agency to assure that each application shall be in such form, and shall be transmitted in accordance with such procedures, as the commission or State may require, and any such application shall—

(1) contain a detailed description of (A) the type of work to be carried out in the project; (B) the type of employment positions which would be filled; and (C) the period during which youths would be employed in jobs under the project;

(2) contain a detailed description of the opportunities for skill development and job training which will be made available to youths participating in the project, including (A) an analysis of the manner in which the project will meet the needs of participating youths and provide needed goods and services to the community involved; (B) an analysis of opportunities in the labor market for youths who obtain skills and training in the project; (C) a description of the manner in which par-

ticipating youths will be provided ongoing basic education and training services through arrangements with secondary schools, community colleges, and trade and technical schools, and the manner in which such education and training services will be coordinated with similar activities conducted by Federal, State, and local programs; and (D) a description of the counseling and placement services (including an individualized future training, education, and employment plan) to be provided to each participating youth;

(3) contain a detailed description of the manner in which youths have been involved in the development of the application for the project;

(4) describe the manner in which the local share will be provided, including the type and value of any in-kind services; and

(5) contain such additional information as the commission or State may require.

(b) A commission or State may not approve any application for a project transmitted by an eligible applicant under this section unless the commission or State determines that the project—

(1) will result in the production of goods and services which are valuable to the community and to the Nation, including, in the case of the national youth

service program, public service employment (as defined in section 701 (7) of the Comprehensive Employment and Training Act of 1973), and will seek to emphasize the rehabilitation of housing and expansion of housing supply, the improvement of environmental conservation, the development of mass transportation, the improvement and expansion of recreational facilities for youth described in subparagraph (A) through subparagraph (D) of section 105 (c) (1), and the provision of services to children from families below the low-income level, elderly and handicapped persons, and others in need of special assistance;

(2) will provide appropriate counseling and placement services (as specified in subsection (a) (2) (D)) designed to facilitate the transition of youths from participation in the project to (A) permanent jobs in the public or private sector; or (B) education or training programs;

(3) will be initiated as soon as practicable;

(4) will be completed no later than three years after the date upon which the application is approved;

(5) will provide effective means through which youths participating in the project may acquire knowledge and skills and receive basic education and training as described in subsection (a) (2) (C), and will

establish procedures designed to certify the extent to which each such youth has acquired such knowledge and skills;

(6) is designed to result in the hiring of youths participating in the project by the eligible applicant carrying out the project after completion of the project, and in the placement of other youths participating in the project in appropriate jobs in the community;

(7) will provide an inventory of job tasks which can be performed by handicapped individuals;

(8) except as provided in subsection (g), will provide not more than one hundred jobs for youths who desire to participate in the project; and

(9) will not (A) impair any existing contract for the provision of goods or services; (B) result in the substitution of Federal funds for the performance of work which would be performed in the absence of the availability of such funds; or (C) result in the substitution of jobs receiving assistance under this title for jobs receiving assistance under any other Federal program.

(c) Any eligible applicant which desires to carry out a project under this title shall provide assurances that—

(1) in any case in which the number of youths applying for participation in the project exceeds the number of jobs available in the project, preference will

be given to youths who (A) have deficient educational backgrounds and basic skills; (B) are handicapped individuals; (C) have a history of involvement in the criminal justice system, or have participated in programs designed to divert youths from the criminal justice system; or (D) have otherwise demonstrated special need, as determined by the commission or State;

(2) not more than 5 per centum of funds made available to the eligible applicant will be used for administering the project, not more than 25 per centum of such total funds will be used for the provision of education, training, supervisory, and other supportive services, and not less than 70 per centum of such funds will be used for the payment of compensation and the provision of benefits to youths employed in the project;

(3) youths participating in the project will receive total compensation for work (A) equal to or greater than the Federal minimum wage, together with appropriate fringe benefits, as determined by the commission or State; but (B) at rates which do not exceed 125 per centum of the Federal minimum wage, if the project includes a graduated payment schedule;

(4) youths participating in the project will receive compensation for work no later than thirty days after such work is performed; and

(5) no job positions will be filled before the close of the period during which applications for such positions may be submitted.

(d) (1) A commission or State shall conduct public hearings, not less often than annually, with respect to applications for projects by eligible applicants under subsection (a).

(2) A commission or State shall determine whether to approve any such application no later than thirty days after the conclusion of the public hearing held with respect to such applications.

(e) Federal funds may be used to defray not more than 80 per centum of the cost of any project approved under this section. The non-Federal share may be in cash or in kind.

(f) In the case of private nonprofit organizations which are carrying out any project under this title, payments of funds allocated to such organizations may be made in advance.

(g) The Federal administering agency shall establish guidelines which permit the approval by the commission or State involved of projects under this section which would provide more than one hundred jobs for youths who desire to participate in the project. Not more than 5 per centum of the funds allocated to any State under section 103 in any fiscal year may be used to carry out such projects.

(h) Any project which is not completed during the one-year period immediately following the date upon which such project begins is approved (1) shall be reviewed annually by the commission or State involved; and (2) may be renewed by such commission or State upon completion of such review, except that no such project may be terminated unless pursuant to a public hearing and project may exceed three years in duration.

(i) In any case in which the number of youths who apply for participation in a project, and who qualify under criteria established in subparagraph (A), (B), (C), or (D) of subsection (c) (1), exceeds the number of jobs available in the project, the eligible applicant involved may establish and carry out a random selection process in order to fill the job positions available.

SPECIAL REQUIREMENTS AND CONDITIONS

SEC. 106. (a) No Federal funds received by any eligible applicant under this title may be used by such eligible applicant (1) to compensate any youth who is hired to fill a position created by the suspension or termination of the employment of any regular employee of such eligible applicant; or (2) to purchase any equipment or supplies in connection with carrying out the project involved.

(b) No person in the United States shall on the ground of race, creed, color, national origin, sex, or political affiliation or beliefs, or on the ground of any other factor specified in any Federal law prohibiting discrimination, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under, any program or activity funded in whole or in part with funds made available under this Act.

(c) Any job position created by any project carried out under this title shall be in addition to any job position which would be created by the eligible applicant if such applicant did not participate in any program established in section 101 (a).

TITLE II—GENERAL PROVISIONS

DEFINITIONS

SEC. 201. For purposes of this Act—

(1) the term "commission" means any commission established under section 102;

(2) the term "eligible applicant" means—

(A) with respect to the national youth service program established in section 101 (a) (1), any State or political subdivision thereof and any private nonprofit organization; and

(B) with respect to the opportunities in private enterprise program established in section 101 (a) (2), any for-profit concern;

(3) the term "Federal administering agency"

means the Office or, if the President exercises the authority established in section 101 (d), the Federal agency or agencies designated by the President under section 101 (d);

(4) the term "handicapped individual" has the meaning given it by section 7 (6) of the Rehabilitation Act of 1973 (29 U.S.C. 706 (6));

(5) the term "local jurisdiction" means any city or county which has a population of two hundred and fifty thousand or more, except (A), in any case in which a county which has a population of two hundred and fifty thousand or more includes a city which has a population of two hundred and fifty thousand or more, the chief executive officer of the State involved shall determine, based upon published regulations which specify objective criteria, whether the city or county involved shall be considered the local jurisdiction for such overlapping population for purposes of this Act; and (B) the chief executive officer of the State may reduce the population level of two hundred and fifty thousand established in this paragraph to any population level which exceeds fifty thousand;

(6) the term "low-income level" has the meaning given it by section 701 (a) (4) of the Comprehensive

Employment and Training Act of 1973 (29 U.S.C. 981(a)(4));

(7) the term "Office" means the Office of Youth Initiatives established in section 101(b);

(8) the term "State" means the several States, the District of Columbia, Guam, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands, except that, for purposes of section 103(a), such term does not include Puerto Rico; and

(9) the term "youth" means any individual who (A) has attained the age with respect to which the requirement of compulsory public education ceases to apply under the laws of the State in which such individual resides; and (B) has not attained twenty-two years of age.

PROGRAM DEVELOPMENT AND EVALUATION

SEC. 202. (a) The Office shall monitor programs and projects carried out under title I and shall transmit a report to the Congress and to the President no later than eighteen months after the date of the enactment of this Act. Such report shall include—

(1) an analysis of the effectiveness of such programs and projects, and a comparison of such effective-

ness with the effectiveness of other similar Federal programs and projects;

(2) a discussion of the appropriate future scope and structure of programs and projects carried out under title I and other similar Federal programs and projects; and

(3) such recommendations for legislative or other action as the Office considers necessary or appropriate.

(b) The Office shall carry out research and development activities with respect to youth employment programs. Such activities shall include—

(1) the establishment of demonstration projects to determine the feasibility of improving and expanding the programs established in section 101 (a) to include—

(A) a national priorities program designed to fund large-scale youth employment projects administered by Federal agencies;

(B) a comprehensive work-study program designed to carry out projects to assist employed persons in continuing their education; and

(C) model projects for carrying out the programs established in section 101 (a); and

(2) the development and transmittal of recommendations to the Congress, the President, the heads of Federal agencies, and other governmental officers with

respect to policies and programs relating to unemployment among youths and other youth problems.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 203. (a) There are authorized to be appropriated for each of the fiscal years 1978, 1979, and 1980 such sums to carry out the national youth service program established in section 101 (a) (1).

(b) There is authorized to be appropriated $250,000,000 for each of the fiscal years 1978, 1979, and 1980, to carry out the opportunities in private enterprise program established in section 101 (a) (2).

(c) The Commonwealth of Puerto Rico shall be entitled to an allocation for any fiscal year in an amount which does not exceed 2 per centum of the total amount of funds appropriated for such fiscal year under this section. The Federal administering agency, in determining the amount of funds which shall be allocated to the Commonwealth of Puerto Rico under this subsection in any fiscal year, shall take into account the factors established in section 103 (a).

(d) There is authorized to be appropriated to the Office $100,000,000 for each of the fiscal years 1978, 1979, and 1980, to carry out the functions of the Office under this Act. Not less than 90 per centum of amounts appropriated under this subsection for any fiscal year shall be used to carry out the provisions of section 202 (b) (1).

95TH CONGRESS
1ST SESSION

H. R. 20

A BILL

To provide employment opportunities for youth in the public and private sectors of the economy, and for other purposes.

By Mr. YOUNG of Georgia

JANUARY 4, 1977

Referred to the Committee on Education and Labor

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95TH CONGRESS
1ST SESSION

H. R. 30

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. MEEDS (for himself, Mr. ALEXANDER, Mr. ANDERSON of California, Mr. BALDUS, Mr. BEDELL, Mr. BEVILL, Mr. BINGHAM, Mr. BLOUIN, Mr. BOLAND, Mr. BONKER, Mr. BRADEMAS, Mr. BRECKENRIDGE, Mr. BRODHEAD, Mr. CARNEY, Mr. CONYERS, Mr. CORMAN, Mr. CORNELL, Mr. DELANEY, Mr. DE LUGO, Mr. DICKS, Mr. DOWNEY, Mr. DRINAN, Mr. DUNCAN of Oregon, Mr. EILBERG, and Mr. FISH) introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Adult Conservation Corps Act".

SEC. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; as amended, 16 U.S.C. 1701–1706) (hereafter in this Act referred to as the Youth Conservation Corps Act), is amended by adding at the end thereof the following new title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds that—

"(1) unemployment levels are excessively high among young adults;

"(2) young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) there are large inventories of conservation work and other work of a public nature within the national park system, the national forest system, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods and other natural disasters, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults who would not otherwise be currently productively employed while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title shall in no way limit the requirement set forth in the Employment Act of 1946 (15 U.S.C. 1021 et seq.) that the Federal Government promote maximum production and purchasing power in the Nation's economy. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereinafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, or, if such data is not kept by counties, such other statistical area basis as is used within the State involved, as determined by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

"(2) employ such individuals in such projects as but not limited to—

"(A) tree nursery operations, planting, pruning, thinning, and other silvicultural measures;

"(B) erosion control and flood damage;

"(C) wildlife habitat improvements;

"(D) range management improvements;

"(E) recreation development, rehabilitation, and maintenance;

"(F) forest insert and disease control, road and trail improvements, and wildlife preservation; and

"(G) general sanitation, cleanup, and maintenance of State and public lands;

"(3) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are relatively labor intensive;

"(B) have work plans or for which work plans could be readily developed;

"(C) may be initiated promptly; and

"(D) are productive;

"(4) to the maximum extent practicable employ such individuals in areas where existing residential facilities are available.

"(5) to the maximum extent practicable employ such individuals in activities similar to activities of those employed in seasonal and part-time employment, in the case of the Secretary of the Interior, in the National Park Service, Bureau of Outdoor Recreation, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Bureau of Land Management, and the Bureau of Indian Affairs, and, in the case of the Secretary of Agriculture, in the Forest Service and the Soil Conservation Service; and

"(6) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall the rates be set at less than the current Federal minimum wage, set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938, as amended.

"(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104(a) (and such employment may include employment on projects which assist the selective cutting and thinning of timber on such lands for essential fuel purposes). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted meet the qualifications set forth in section 202 and shall be paid at the rate set under section 203 (a) (3).

"(b) Of the sums appropriated under section 207 (b) for the fiscal year beginning October 1, 1976, not more than twenty-five per centum shall be made available for grants under this section. Of the sums appropriated under section 207 (b) for the fiscal year beginning October 1, 1977, thirty per centum shall be made available for grants under this section. Amounts reserved for this section in any subsequent fiscal year shall be determined by the Congress after receiving the recommendations of the Secretaries of Agriculture and Interior in the report required by section 205. Within 90 days from the date such report is referred to the House Committee on Education and Labor and the Senate Committee on Interior and Insular Affairs, each such committee shall report legislation providing authorizations for the fiscal year to which the report refers.

"(c) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203 (b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress a report detailing the activities carried out under this title for each fiscal year.

Such report shall be submitted not later than February 1 of each year following the date of enactment of this Act. The Secretaries shall include in such report such recommendations as they deem appropriate for changes in the percentage of funds allocated to States under section 204 (b).

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending on February 1, 1977, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the extended Corps, a list and description of the work projects initially selected by the Secretaries for the extended Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the extended Corps under this title. In preparing such plan, the Secretaries shall plan for a capacity of the extended Corps to employ one hundred thousand young adults under this title during its first fiscal year of operation, three hundred thousand young adults during its second fiscal year of operation, four hundred thousand young adults during its third fiscal year of operation, and five hundred thousand young adults during its fourth fiscal year of operation. In selecting work projects for the extended Corps, the Secretaries shall give priority to reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods. In selecting facilities for Corps work camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible.

"(b) No young adults shall be employed in the extended Corps under section 202 and no grants shall be made to the States under the extended grant program of section 204 (a) until June 1, 1977.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) no later than February 1, 1977. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan (utilizing persons eligible for employment under this title, where practicable), $50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated in addition to the amounts appropriated under subsection (a) such sums as may be necessary for the fiscal year beginning October 1, 1976, and for each of the three succeeding fiscal years, for the purpose of carrying out this title.".

SEC. 3. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104(d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106"; and

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title".

95TH CONGRESS
1ST SESSION

H. R. 30

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

By Mr. MEEDS, Mr. ALEXANDER, Mr. ANDERSON of California, Mr. BALDUS, Mr. BEDELL, Mr. BEVILL, Mr. BINGHAM, Mr. BLOUIN, Mr. BOLAND, Mr. BONKER, Mr. BRADEMAS, Mr. BRECKENRIDGE, Mr. BRODHEAD, Mr. CARNEY, Mr. CONYERS, Mr. CORMAN, Mr. CORNELL, Mr. DELANEY, Mr. DE LUGO, Mr. DICKS, Mr. DOWNEY, Mr. DRINAN, Mr. DUNCAN of Oregon, Mr. EILBERG, and Mr. FISH

JANUARY 4, 1977

Referred to the Committee on Education and Labor

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95TH CONGRESS
1ST SESSION

H. R. 209

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. BOLAND introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Adult Conservation Corps Act".

SEC. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; 42 U.S.C. prec. 2711 note; 16 U.S.C.A. 1701–06) (hereafter in this Act referred to as the Youth Conservation Corps

Act), is amended by adding at the end thereof the following new title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds—

"(1) that unemployment levels are excessively high among young adults;

"(2) that young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) that as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) that there are large inventories of conservation work and other work of a public nature within the national park system, the national forest system, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) that much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods and other natural disasters, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults who would not otherwise be currently more productively employed while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title shall in no way limit the requirement set forth in the Employment Act of 1946 (15 U.S.C. 1021 et seq.) that the Federal Government promote maximum production and purchasing power in the Nation's economy. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determined by the Secretary of Labor, if such data is not kept by counties, such other statistical area basis as is used within that State; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

"(2) employ such individuals in such projects as but not limited to—

"(A) tree nursery operations, planting, pruning, thinning, and other cultural measures;

"(B) erosion control and flood damage;

"(C) wildlife habitat improvements;

"(D) range management improvements;

"(E) recreation development, rehabilitation, and maintenance;

"(F) forest insect disease control, road and trail improvements and wildlife preservation; and

"(G) general sanitation, cleanup, and maintenance of State and public lands;

"(3) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are relatively labor intensive;

"(B) have work plans or for which work plans could be readily developed;

"(C) may be initiated promptly; and

"(D) are productive;

"(4) to the maximum extent practicable employ such individuals in areas where existing residential facilities are available;

"(5) to the maximum extent practicable employ such individuals in activities similar to activities of those employed in seasonal and part-time employment, in the case of the Secretary of the Interior, in the National Park Service, Bureau of Outdoor Recreation, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Bureau of Land Management, and the Bureau of Indian Affairs, and, in the case of the Secretary of Agriculture, in the Forest Service and the Soil Conservation Service, respectively; and

"(6) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall the resulting rates be set at less than the current Federal minimum wage, set forth in section 6 (a) (1) of the Fair Labor Standards Act of 1938.

"(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104 (a) (and such employment may include employment on projects which assist the selective cutting and thinning of timber on such lands for essential fuel purposes). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted—

"(1) (A) shall have attained age nineteen but not attained age twenty-four, or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, or if such data is not kept by counties, such other statistical area basis as is used within that State, as determined by the Secretary of Labor;

"(4) be employed for a total period of not more than twelve months, with such maximum employment consisting of one continuous twelve-month period or of two or more periods which together total twelve months; and

"(5) shall be paid at the rate set under section 203 (a) (3).

"(b) Of the sums appropriated under section 207 (b) for the fiscal year beginning October 1, 1977, not more than twenty-five per centum shall be made available for grants under this section. Of the sums appropriated under section 207 (b) for the fiscal year beginning October 1, 1978, thirty per centum shall be made available for grants under this section. Amounts reserved for this section in any subsequent fiscal year shall be determined by the Congress after receiving the recommendations of the Secretaries of Agriculture and Interior in the report required by section 205. Legislation containing the recommended amounts shall be reported by the House Committee on Education and Labor and the Senate Committee on the Interior within 90 days from the date such report is referred to them.

"(c) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203 (b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress a report detailing the activities carried out under this title for each fiscal year. Such report shall be submitted not later than February 1 of each year following the date of enactment of this Act. The Secretaries shall include in such report such recommendations as they deem appropriate for changes in the percentage of funds allocated to States under section 204 (b).

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending on February 1, 1978, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the extended Corps, a list and description of the work projects initially selected by the Secretaries for the extended Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the extended Corps under this title. In preparing such plan, the Secretaries shall plan for a capacity of the extended Corps to employ one hundred thousand young adults under this title during its first fiscal year of operation, three hundred thousand young adults during its second fiscal year of operation, four hundred thousand young adults during its third fiscal year of operation, and five hundred thousand young adults during its fourth fiscal year of operation. In selecting work projects for the extended Corps, the Secretaries shall give priority to reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods. In selecting facilities for Corps work camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible.

"(b) No young adults shall be employed in the extended Corps under section 202 and no grants shall be made to the States under the extended grant program of section 204 (a) until June 1, 1978.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) on February 1, 1978. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan (utilizing persons eligible for employment under this title, where practicable), $50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated in addition to the amounts appropriated under subsection (a) such sums as may be necessary for the fiscal year beginning October 1, 1977, and for each of the three succeeding fiscal years, for the purpose of carrying out this title.".

SEC. 3. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104 (d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106"; and

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title".

95th CONGRESS
1st Session

H. R. 209

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

By Mr. Boland

January 4, 1977

Referred to the Committee on Education and Labor

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95TH CONGRESS
1ST SESSION

S. 249

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IN THE SENATE OF THE UNITED STATES

JANUARY 14, 1977

Mr. JACKSON (for himself and Mr. MAGNUSON) introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

A BILL

To amend the Youth Conservation Corps Act of 1970 (84 Stat. 794).

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Adult Conservation Corps Act".

SEC. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; as amended, 16 U.S.C. 1701–170) (hereafter in this Act referred to as the "Youth Conservation Corps Act"), is

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amended by adding at the end thereof the following new Title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds that—

"(1) unemployment levels are excessively high among young adults;

"(2) young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) there are large inventories of conservation work and other work of a public nature within the national park system, the national forest system, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods and other natural disasters, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults who would not otherwise be currently productively employed while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title shall in no way limit the requirement set forth in the Employment Act of 1946 (15 U.S.C. 1021 et seq.) that the Federal Government promote maximum production and purchasing power in the Nation's economy. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of

young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) (A) shall have attained age nineteen but not attained age twenty-four or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, or, if such data is not kept by counties, such other statistical area basis as is used within the State involved, as determined by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) place individuals employed as Corps members into jobs which will diminish the backlog of relatively labor intensive projects which would otherwise be carried out if adequate funding were made available;

"(2) employ such individuals in such projects as but not limited to—

"(A) tree nursery operations, planting, pruning, thinning, and other silvicultural measures;

"(B) erosion control and flood damage;

"(C) wildlife habitat improvements;

"(D range management improvements;

"(E) recreation development, rehabilitation, and maintenance;

"(F) forest insect and disease control, road and trail improvements, and wildlife preservation; and

"(G) general sanitation, cleanup, and maintenance of State and public lands;

"(3) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are relatively labor intensive;

"(B) have work plans or for which work plans could be readily developed;

"(C) may be initiated promptly; and

"(D) are productive;

"(4) to the maximum extent practicable employ such individuals in areas where existing residential facilities are available;

"(5) to the maximum extent practicable employ such individuals in activities similar to activities of those employed in seasonal and part-time employment, in the case of the Secretary of the Interior, in the National Park Service, Bureau of Outdoor Recreation, the United States Fish and Wildlife Service, the Bureau of Reclamation, the Bureau of Land Management, and the Bureau of Indian Affairs, and, in the case of the Secretary of Agriculture, in the Forest Service and the Soil Conservation Service; and

"(6) determine rates of pay for Corps members by giving consideration to housing, transportation, food, medical, and other direct benefits of employment (except that supplies and equipment shall not be benefits of employment), but in no event shall rates be set at less than the current Federal minimum wage, set forth in section

6 (a) (1) of the Fair Labor Standards Act of 1938, as amended.

"(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104 (a) (and such employment may include employment on projects which assist the selective cutting and thinning of timber on such lands for essential fuel purposes). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted—

"(1) (A) shall have attained age nineteen but not attained age twenty-four, or (B) shall have attained age sixteen (or completed high school) but not attained age nineteen, in the case of individuals who have left school and who give adequate assurances, under criteria established by the Secretaries, that they did not leave school for the purpose of obtaining employment under this title;

"(2) shall be physically capable, as determined under regulations established by the Secretaries;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, or if such data is not kept by counties, such other statistical area basis as is used within that State, as determined by the Secretary of Labor;

"(4) be employed for a total period of not more than twelve months, with such maximum employment consisting of one continuous twelve-month period or of two or more periods which together total twelve months; and

"(5) shall be paid at the rate set under section 203 (a) (3).

"(b) Of the sums appropriated under section 207 (b) for the fiscal year beginning October 1, 1977, not more than twenty-five per centum shall be made available for grants under this section. Of the sums appropriated under section

207(b) for the fiscal year beginning October 1, 1978, thirty per centum shall be made available for grants under this section. Amounts reserved for this section in any subsequent fiscal year shall be determined by the Congress after receiving the recommendations of the Secretaries of Agriculture and Interior in the report required by section 205. Within 90 days from the date such report is referred to the House Committee on Education and Labor and the Senate Committee on Interior and Insular Affairs, each such Committee shall report legislation providing authorization for the fiscal year to which the report refers.

"(c) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203(b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress a report detailing the activities carried out under this title for each fiscal year. Such report shall be submitted not later than February 1 of each year following the date of enactment of this Act. The Secretaries shall include in such report such recommendations as they deem appropriate for changes in the percentage of funds allocated to States under section 204(b).

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending on October 1, 1977, the Secretaries shall prepare a plan to carry out the activities authorized by this title. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates, a detailed list and description of the work projects selected by the Secretaries to be initiated under this title, and a detailed list and description of site locations, facilities, and equipment selected by the Secretaries for use under this title. In selecting work projects, the Secretaries shall give priority to reforestation, timber stand improvements, fighting forest fires, trail and campground improvements, and control of insects, disease, soil erosion, and floods. In selecting facilities for Corps camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible.

"(b) No young adults shall be employed under section 202 and no grants shall be made to the States under the extended grant program of section 204(a) until January 1, 1978.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) no later than October 1, 1977. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan (utilizing persons eligible for employment under this title, where practicable), $50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated in addition to the amounts appropriated under subsection (a) such sums as may be necessary for the fiscal year beginning October 1, 1977, and for each of the three succeeding fiscal years, for the purpose of carrying out this title.".

SEC. 3. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104(d) (as

redesignated by clause 2 of this section) and inserting in lieu thereof "section 106"; and

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title".

95th CONGRESS
1st Session

S. 249

A BILL

To amend the Youth Conservation Corps Act of 1970 (84 Stat. 794).

By Mr. Jackson and Mr. Magnuson

January 14, 1977

Read twice and referred to the Committee on Interior and Insular Affairs

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EDUCATION & WELFARE
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95TH CONGRESS
1ST SESSION

H. R. 260

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1977

Mr. CONTE introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Adult Conservation Corps Act".

SEC. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; 42 U.S.C. prec. 2711 note; 16 U.S.C. 1701–06) (hereafter in this Act referred to as the Youth Conservation Corps

I

Act), is amended by adding at the end thereof the following new title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds—

"(1) that unemployment levels are excessively high among young adults;

"(2) that young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) that as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) that there are large inventories of conservation work and other work of a public nature within the national park system, the national forest system, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) that much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of

young adults. Section 102 of this Act applies to the extended Corps under this title, except that individuals employed as Corps members under this title—

"(1) shall have attained age nineteen but not attained age twenty-four;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the work of the Corps;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determnied by the Secretary of Labor; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) in determining the appropriate locations for Corps projects, give priority to counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months as determined by the Secretary of Labor;

"(2) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are highly labor intensive;

"(B) have work plans or for which work plans could be readily developed; and

"(C) may be initiated promptly; and

"(3) in determining rates of pay for Corps members, set those rates at the current Federal minimum wage, set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938, but in determining such rates of pay, consideration shall be given to housing, transportation, food, medical, and other direct benefits of employment, except that supplies and equipment shall not be benefits of employment.

(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104(a). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted—

"(1) shall have attained age nineteen but not attained age twenty-five;

"(2) shall be physically capable, as determined under regulations established by the Secretaries;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determined by the Secretary of Labor;

"(4) be employed for a total period of not more than twelve months, with such maximum employment consisting of one continuous twelve-month period or of two or more periods which together total twelve months; and

"(5) shall be paid at the rate set under section 203(a)(3).

"(b) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203 (b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress reports detailing the activities carried out under this title. The first such report, covering the period from the date of enactment of this title until September 30, 1977, shall be submitted not later than January 1, 1978, and reports covering fiscal years ending on September 30, 1978, September 30, 1979, September 30, 1980, and September 30, 1981, shall be submitted not later than January 1, 1979, January 1, 1980, January 1, 1981, and January 1, 1982, respectively.

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending eight months after such date, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the extended Corps, a list and description of the work projects initially selected by the Secretaries for the extended Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the extended Corps under this title. In preparing such plan, the Secretaries shall plan for the extended Corps to employ one hundred thousand young adults under this title during its first fiscal year of operation, three hundred thousand young adults during its second fiscal year of operation, four hundred thousand young adults during its third fiscal year of operation, and five hundred thousand young adults during its fourth fiscal year of operation. In selecting work projects for the extended Corps, the Secretaries shall give priority to reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods. In selecting facilities for Corps work camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible.

"(b) No young adults shall be employed in the extended Corps under section 202 and no grants shall be made to the States under the extended grant program of section 204 (a) until one year after the date of enactment of this title.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) on the two hundred and fortieth day after the date of enactment of this title. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan, $50,000,000 for the period beginning on the date of enactment of this title and ending on the two hundred and fortieth day after such date.

"(b) There are authorized to be appropriated to the Secretaries for carrying out this title $700,000,000 for the first fiscal year during which young adults are employed under this title, $2,100,000,000 for the second fiscal year during which such young adults are so employed, $2,800,000,000 for the third fiscal year during which such young adults are so employed, and $3,500,000,000 for the fourth fiscal year during which such young adults are so employed. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

SEC. 3. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104(d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106"; and

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title".

95TH CONGRESS
1ST SESSION

H. R. 260

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

By Mr. CONTE

JANUARY 4, 1977

Referred to the Committee on Education and Labor

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95TH CONGRESS
1ST SESSION

S. 306

IN THE SENATE OF THE UNITED STATES

JANUARY 18, 1977

Mr. STAFFORD (for himself, Mr. BAKER, Mr. DOMENICI, Mr. GRAVEL, Mr. HART, Mr. HEINZ, Mr. MCCLURE, and Mr. RANDOLPH) introduced the following bill; which was read twice and referred to the Committee on Public Works

---

A BILL

To authorize a program for employment of teenaged youth in community improvement projects.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Community Improvement Act of 1977".

SEC. 2. The Public Works and Economic Development Act of 1965, as amended, is amended by adding the following new title:

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"TITLE XI—YOUTH COMMUNITY IMPROVEMENT PROGRAM

"STATEMENT OF PURPOSE

"SEC. 1101. It is the purpose of this title to establish a program of community improvement projects to provide employment, work experience, and skill training to youths in areas of aggravated unemployment.

"DEFINITIONS

"SEC. 1102. As used in this title the term—

"(1) 'eligible applicant' means any State or local government or Indian tribe or Alaska Native organization;

"(2) 'youth' means an individual who has attained the age sixteen but not age twenty;

"(3) 'Secretary' means the Secretary of Commerce;

"(4) 'State' includes the several States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territories of the Pacific Islands.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 1103. There are authorized to be appropriated $1,500,000,000 for the period beginning on the date of enactment of this title and ending September 30, 1978, to carry out the provisions of this title."

"ALLOCATION OF FUNDS

"SEC. 1104. In allocating funds, appropriated under this title, the Secretary shall take into consideration the severity of unemployment among youths eligible for assistance under this title residing in the areas under the jurisdiction of each eligible applicant: *Provided, however,* That not less than one-half of 1 per centum of all amounts appropriated to carry out this title shall be granted under this title for programs within any one State, except that in the case of Guam, Virgin Islands, American Samoa, and the Trust Territory of the Pacific Islands, not less than one-half of 1 per centum in the aggregate shall be granted for such projects in all four of these jurisdictions.

"COMMUNITY IMPROVEMENT YOUTH EMPLOYMENT PROGRAM

"SEC. 1105. (a) The Secretary is authorized, in accordance with the provisions of this title, to make grants to, and to enter into contracts with, eligible applicants to pay the costs of community improvement projects to be carried out by youths employed by such applicants. Community improvements projects include work on community capital improvements, which would not otherwise be carried out, including the rehabilitation, alteration, or improvement of public facilities; neighborhood improvements, including basic repairs to low-income housing; and conservation, maintenance, or restoration of natural resources on publicly held lands. Any eligible applicant may enter into agreements with the National Park Service or the United States Forest Service to carry out community improvement projects on lands administered by such agencies. Eligible applicants shall undertake to develop sufficient projects to provide twelve months of employment and training for each enrolled youth.

"(b) No grant may be made, and no contract may be entered into, under the provisions of this title unless the agreement evidencing such grant or contract provides assurances that—

"(1) the community improvement project is an eligible project which will be conducted in such manner as to permit the youth employed in that project who are in school to coordinate the job with classroom instruction and, to the extent feasible, to permit such youth to receive credit from the appropriate local educational agency or school involved;

"(2) youths employed in community improvement projects under this title shall be paid wages which are not lower than (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(1) of such Act applied to the youth and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay for persons employed in similar public occupations by the same employer, except that the eligible applicant may make provisions to offset such wages by the reasonable cost of supervisory or administrative expenses and, where necessary food, shelter, and transportation costs related to the employment of such youth, pursuant to such regulations as the Secretary may prescribe;

"(3) persons employed in necessary technical and supervisory positions assisted under this title shall be paid the prevailing rates of pay for persons employed in similar activities in the area. In the case of persons performing work of the type to which the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5) applies, the prevailing wage will be determined in accordance with that Act;

"(4) the activities of the project subject to such agreement (A) will result in an increase in employment opportunities over those which would otherwise be available, (B) will not result in the displacement of currently employed workers (including partial displacement such as reduction in the hours of non-overtime or wages or employment benefits), (C) will not impair existing contracts for services or result in the substitution of Federal or other funds in connection with the work that would otherwise be performed, and (D) will not substitute jobs assisted under this title for existing federally assisted jobs; and

"(5) no person with responsibility in the operation of such an agreement will discriminate with respect to any youth or any applicant for participation in any eligible project because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"APPLICATIONS

"SEC. 1106. (a) Financial assistance under this title may be provided by the Secretary only pursuant to an application which is submitted by an eligible applicant and which is approved by the Secretary in accordance with the provisions of this title and in accordance with the rules and regulations which the Secretary has promulgated governing programs to be funded under this title.

"(b) Each such application shall—

"(1) provide a description of the jobs to be filled, a listing of the major kinds of work to be performed to carry out eligible projects, and the approximate duration for which the participants would be assigned to such jobs;

"(2) provide a description of job training and skill development opportunities that will be made available to participating youth, as well as a description of plans to coordinate the training and work experience with school related programs including vocational training and the awarding of academic credit;

"(3) describe the wages or salaries to be paid youths and other persons employed in jobs and supervisory positions assisted under this title;

"(4) set forth assurances that there will be an adequate number of supervisory personnel on an eligible project and that the supervisory personnel are adequately trained in skills needed to carry out the project and can instruct participating youths in skills needed to carry out a project;

"(5) set forth assurances that any income generated by the project will be applied toward the cost of the project;

"(6) set forth such other assurances, arrangements, and conditions consistent with the provisions of this title, as the Secretary deems necessary, in accordance with such regulations as the Secretary shall prescribe; and

"(7) describe the organization and responsibilities of the administering local corporation required under section 1109 of this Act.

"PAYMENTS

"SEC. 1107. (a) The Secretary is authorized to pay any eligible applicant having an agreement under this title for that fiscal year the amount necessary to carry out that agreement, as determined by him.

"(b) Payments under this title may be made in installments, in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"REVIEW AND AUDIT

"SEC. 1108. The Secretary and the Comptroller General of the United States, or any duly authorized representatives, shall have access for the purpose of audit and examination, to any books, documents, papers, and records of a grant or contract entered into under this title that are pertinent to the grant or contract.

"LOCAL CORPORATIONS

"SEC. 1109. To carry out the activities funded under this title, each eligible applicant shall establish or designate a local nonprofit corporation. The corporation shall include at least one representative for each of the following interests: the local government, local educational institutions, the business community, labor organizations, community based organizations, and the local manpower office. The Secretary in issuing guidelines and regulations shall include regulations concerning the organization and responsibilities of such local corporation.

"EDUCATION CREDIT

"SEC. 1110. The Secretary of Commerce in carrying out the purposes of this title, shall work with the appropriate State education agency to provide that academic credit be awarded for work experience gained through this program.

"UTILIZATION OF OTHER FEDERAL AGENCIES SERVICES AND FACILITIES

"SEC. 1111. In addition to such other authority as he may have, the Secretary is authorized, in the performance of his functions under this title, and to the extent permitted by law, to utilize the services and facilities of departments, agencies, and establishments of the United States The Secretary is also authorized to accept and utilize the services and facilities of the agencies of any State or political subdivision of a State, with their consent: *Provided, however,* That where any such facilities are not adequate or available, the Secretary is authorized to provide for the housing, food, transportation, and medical needs of youth employed in the national parks and national forests.".

95TH CONGRESS
1ST SESSION

S. 306

A BILL

To authorize a program for employment of teenaged youth in community improvement projects.

By Mr. STAFFORD, Mr. BAKER, Mr. DOMENICI, Mr. GRAVEL, Mr. HART, Mr. HEINZ, Mr. McCLURE, and Mr. RANDOLPH

JANUARY 18, 1977

Read twice and referred to the Committee on Public Works

CE

95th CONGRESS
1st Session

S. 378

U S DEPARTMENT OF HEALTH.
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IN THE SENATE OF THE UNITED STATES

January 19, 1977

Mr. Huddleston introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

---

A BILL

To create the Youth Resource Corps to supplement the Youth Conservation Corps, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Youth Resource Corps Act".

STATEMENT OF FINDINGS

Sec. 2. The Congress finds that—

(1) the unemployment rate among youth remains substantially higher than that for the other segments of the population;

(2) the unemployment rate among youth is expected to remain a problem over the next few years

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because of the relative per centum of the population in that age group;

(3) prolonged unemployment may impair the economic and social development of young people;

(4) youth unemployment includes youth seeking both full-time and part-time employment;

(5) a substantial backlog of construction, maintenance, and repair projects exists in our Nation's parks and forests;

(6) work on visitor facilities, buildings, roads, trails, reforestation, timber stand improvement, forest fire fighting, and other conservation projects would result in immediate and tangible accomplishments;

(7) such activities would contribute to the preservation and conservation of our Nation's resources and historic sites; and

(8) previous experience with the Youth Conservation Corps indicates it can serve as a model for a productive and useful program on an expanded basis.

YOUTH RESOURCE CORPS

SEC. 3. (a) To carry out the purposes of this Act, there is established in the Department of the Interior and the Department of Agriculture a Youth Resource Corps (hereafter referred to as the "Corps"). The Corps shall consist of young men and women who are permanent residents of the

United States, its territories, possessions, trust territories, or Commonwealth of Puerto Rico who have attained age sixteen but have not attained age twenty-five, and whom the Secretary of the Interior or the Secretary of Agriculture may employ without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, and any rules or regulations thereunder, for the purpose of developing, preserving, or maintaining the lands and waters of the United States.

(b) (1) The Corps shall be open to youth from all parts of the country of both sexes and youth of all social, economic, and racial classifications. All Corps members shall receive compensation consistent with work accomplished. No person may be employed as a member of the Corps for a term in excess of one year.

(2) Programs established for the purpose of this Act for a period of less than one year shall be closely reviewed in order to insure that such programs are of sufficient duration to result in tangible accomplishments.

FUNCTIONS

SEC. 4. (a) In carrying out this Act, the Secretary of the Interior and the Secretary of Agriculture shall jointly—

(1) determine the areas under their administrative jurisdictions which are appropriate for carrying out the programs using employees of the Corps;

(2) determine with other Federal agencies the areas under the administrative jurisdiction of these agencies which are appropriate for carrying out programs using members of the Corps, and determine and select appropriate work and education programs and projects for participation by members of the Corps;

(3) utilize Corps members for—

(A) construction, repair, and maintenance of visitor facilities and other buildings;

(B) repair and maintenance of roads and trails;

(C) reforestation, timber stand improvement;

(D) forest fire prevention and control activities;

(E) flood and erosion control;

(F) fish and wildlife habitat preservation and improvement;

(G) preservation of historic and archeological sites;

(H) beautification; and

(I) such other resource conservation and preservation activities as the Secretary of the Interior and the Secretary of Agriculture deem appropriate;

(4) give priority to projects in areas where—

(A) backlogs in activities listed in (2) have been identified;

(B) projects can be promptly initiated;

(C) projects will contribute to skill development; and

(D) the youth unemployment rate is high;

(5) determine the rate of pay, hours, and other conditions of employment in the Corps, except that all members of the Corps shall not be deemed to be Federal employees other than for the purpose of chapter 171 of title 28, United States Code, and chapter 81 of title 5, United States Code;

(6) to the extent possible, employ individuals in areas where residential facilities already exist;

(7) provide for such transportation, lodging, subsistence, and other services and equipment as they may deem necessary or appropriate for the needs of members of the Corps in their duties;

(8) promulgate regulations to insure the safety, health, and welfare of the Corps members;

(9) provide to the extent possible, that permanent

or semipermanent facilities used by Corps camps be made available to local schools, school districts, State junior colleges and universities, and other education institutions for use as environmental/ecological education camps during periods of nonuse by the Corps program;

(10) consult with the Secretary of Labor to insure that the Federal unemployment programs for youth complement, rather than duplicate or conflict with. other youth programs; and

(11) insure that activities of members of the Corps do not displace regular employees of the Department of the Interior or the Department of Agriculture.

(b) Any existing but unoccupied Federal facility and surplus or unused equipment, or both, of all types (including military facilities and equipment) shall be utilized for the purposes of the Corps, where appropriate and with the approval of the Federal agency involved. To minimize transportation costs, Corps members shall be employed on conservation projects as near to their places of residence as is feasible.

(c) The Secretary of the Interior and the Secretary of Agriculture may contract with any public agency or any private nonprofit organization which has been in existence for at least five years for the operation of any Youth Resource Corps preject.

(d) The costs of operation, maintenance, and staffing of Corps camp facilities during periods of use by non-Corps members, as well as any liability for personal injury or property damage resulting from such use, shall be the responsibility of the entity or organization using the facility and shall not be a responsibility of the Secretary of the Interior, the Secretary of Agriculture, or the Corps.

WORK-STUDY DEMONSTRATION PROGRAM

SEC. 5. (a) The Secretary of the Interior and the Secretary of Agriculture shall, on a demonstration basis, contract with local educational agencies and nonprofit educational institutions to conduct joint work-study programs in which work and study complement each other. Such programs shall be conducted according to a specified plan which—

(1) provides for a reasonable number of class hours in academic or vocational areas related to repair, maintenance, environmental or ecological subjects, or both; and

(2) establishes precise periods of not less than one full day at a time for work activities.

(b) The qualifications for youth to participate in such a program shall be the same as provided in section 2(b) except that the Secretary of the Interior and the Secretary of Agriculture shall give special consideration to youth who require part-time employment in order to remain in school or who might be encouraged to remain in school by virtue of such employment.

GRANT PROGRAM FOR STATE PROJECTS

SEC. 6. (a) The Secretary of the Interior and the Secretary of Agriculture shall jointly establish a program under which grants shall be made to States to assist them in meeting the cost of projects for the employment of young men and women to develop, preserve, and maintain non-Federal public lands and waters within the States. For purposes of this section, the term "States" includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Trust Territory of the Pacific Islands, and American Samoa.

(b) (1) No grant may be made under this section unless an application therefor has been submitted to, and approved by, the Secretary of the Interior and the Secretary of Agriculture. Such application shall be in such form, and submitted in such manner, as the Secretaries shall jointly by regulation prescribe, and shall contain—

(A) assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted shall (i) have attained the age of sixteen but not attained the age of twenty-five and have either completed secondary school or left secondary school for reasons other than to accept employment under this section, (ii) be permanent residents of the United States or its territories, possessions, or the Trust Territory of the Pacific Islands, (iii) be employed without regard to the personnel laws, rules, and regulations applicable to full-time employees of the applicant, (iv) be employed for a period of not more than one full year, (v) be employed without regard to their sex or social, economic, or racial classification, (vi) be employed in activities which will advance the preservation, conservation, improvement, or enhancement of non-Federal public lands and waters, (vii) be engaged in productive work which will produce tangible results, and (viii) include plans for skill development;

(B) such other information as the Secretaries may jointly by regulation prescribe.

(2) The Secretaries may approve applications which they determine (A) to meet the requirements of paragraph (1), and (B) are for projects which will further the development, preservation, or maintenance of non-Federal public lands or waters within the jurisdiction of the applicant.

(c) (1) The amount of any grant under this section shall be determined jointly by the Secretaries, except that no grant for any project may exceed 80 per centum of the cost (as determined by the Secretaries) of a such project.

(2) Payments under grants under this section may be made in advance or by way of reimbursement and at such intervals and on such conditions as the Secretaries find necessary.

SECRETARIAL REPORTS

SEC. 7. The Secretary of the Interior and Secretary of Agriculture shall annually prepare a joint report detailing the activities carried out under this Act. Such report shall indicate the extent to which the requirements of section 4(a) (3) and (4) were met and the impact of the program upon youth unemployment. In determining the impact of the program, the Secretaries shall consult with the Secretary of Labor. Each report for a program year shall be submitted concurrently to the President and the Congress not later than April 1.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. There are authorized to be appropriated amounts not to exceed $500,000,000 for fiscal year 1977, $750,000,000 each for fiscal years 1978 and 1979 to carry out the provisions of this Act, other than section 6. There are authorized to be appropriated $50,000,000 for fiscal year 1977 and $75,000,000 each for fiscal year 1978 and for fiscal year 1979 to carry out section 6 of this Act.

95TH CONGRESS
1ST SESSION

S. 378

A BILL

To create the Youth Resource Corps to supplement the Youth Conservation Corps, and for other purposes.

By Mr. HUDDLESTON

JANUARY 19, 1977

Read twice and referred to the Committee on Interior and Insular Affairs

1

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95TH CONGRESS
1ST SESSION

H. R. 2595

IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1977

Mr. LUNDINE (for himself, Mr. SARASIN, Mr. GILMAN, Mr. MOAKLEY, Ms. MIKULSKI, Mr. MITCHELL of Maryland, Mrs. FENWICK, Mr. GEPHARDT, Mr. WOLFF, Mr. PATTERSON of California, Mr. DRINAN, Mr. CONTE, Mr. SOLARZ, Mr. BONIOR, Mr. BAUCUS, Mr. WEISS, Mr. STARK, Mrs. CHISHOLM, Mr. TRAXLER, Mr. JEFFORDS, Mr. BINGHAM, Mr. AUCOIN, Mr. MILLER of California, Mr. SCHEUER, and Mr. PEASE) introduced the following bill; which was referred jointly to the Committees on Banking, Finance and Urban Affairs and Education and Labor

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U S DEPARTMENT OF HEALTH
EDUCATION & WELFARE
NATIONAL INSTITUTE OF
EDUCATION
THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL NATIONAL INSTITUTE OF EDUCATION POSITION OR POLICY

A BILL

To provide for a program, to be carried out through the Secretary of Labor, of projects and an advisory council to promote economic stability by increasing productivity, improving job security, encouraging retention of jobs in lieu of cyclical layoffs, and promoting the better use of human resources in employment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Human Resources Development Act of 1977".

SEC. 2. It is the purpose of this Act to promote economic stability through the better use of human resources, to increase productivity, to improve job security, to encourage the retention of employees by employers as a policy with respect to counter-cyclical unemployment, to enhance the quality of working life, and to increase employment opportunities.

SEC. 3. (a) (1) In order to carry out the purposes specified in section 2, the President, through the Secretary of Labor (hereinafter in this Act referred to as the "Secretary"), shall carry out from funds appropriated under section 4, a program of projects which meet the requirement of paragraph (2), through contracts with States, units of general local government or combinations of such units, institutions of higher education as defined in section 1201 (a) of the Higher Education Act of 1965, and other employers including labor organizations as defined in section 2 (5) of the National Labor Relations Act. In entering into contracts under this section, the Secretary of Labor shall give priority to projects which involve labor-management cooperation. Such cooperation may include the advice, technical assistance, and moderation of an organization or agency independent of both labor and management, such as the Federal Mediation and Conciliation Service, or a labor-management cooperative committee, established or designated for that purpose by the party contracting with the Secretary of Labor.

(2) Each project assisted under a contract under this section shall be—

(A) a project, involving (i) increased participation of employees in problem solving and the decision-making process, (ii) increased participation of employees, through compensation, or other benefits, in the gains associated with increased productivity by employees, (iii) redesign of the tasks, responsibilities, and time patterns connected with particular units of employment, or

(B) a demonstration project designed to clearly demonstrate specific programs, or guidelines under which employment can be maintained at prescribed levels for a specific period of time and advances can be made in quality of working life, including a grant, to an employer in any area where the average rate of unemployment exceeds the national average rate of unemployment for a period of three consecutive months, as determined by the Secretary, for employees retained as employees who would, but for such grants, be laid off during periods of cyclical unemployment. Funds received under any such grant shall be used only for improving the design of the plant or workplace or of the tasks, responsibilities, and time patterns connected with particular jobs, for improving the level or type of skills of employees, or for solving job-related problems.

(3) The Secretary shall promulgate regulations, consistent with the purposes and requirements of this Act and with the requirements of the National Labor Relations Act, under which applications may be made for assistance under this section.

(4) A contract under this section may be made for any fiscal year, and payments thereunder may be made in advance or by way of reimbursement.

(5) The Human Resources Advisory Council established under section 4 shall make recommendations with respect to the administration of the projects assisted under this section and with respect to whether or not such projects achieve the purposes specified in section 2. Such Advisory Council shall conduct a specific evaluation of each project assisted under a contract under this section.

(6) When requested by the Secretary, the Federal Mediation and Conciliation Service shall—

(A) advise the Secretary of Labor with respect to the priorities to be established for purposes of determining the projects to be assisted under contract under this section, and

(B) provide technical assistance to labor and management during the period of operation of any project so assisted, and

(C) provide follow-up technical assistance, where such assistance is merited, after the completion of any such project.

(7) When requested by the Secretary, the National Center for Productivity and Quality of Working Life shall provide technical assistance to any project assisted under a contract under this section.

(8) The President shall submit to the Congress a semiannual report which shall contain a description of the projects assisted under this section and the specific contracts entered into thereunder and the results of the evaluations conducted under paragraph (5).

SEC. 4. (a) To furnish advice and assistance in the administration of the projects assisted under section 3, there is established a Human Resources Advisory Council (hereinafter in this section referred to as the "Council") which shall consist of—

(1) the Secretary;

(2) the Secretary of Commerce;

(3) the Secretary of the Treasury;

(4) two Senators appointed by the President pro tempore of the Senate;

(5) two Representatives appointed by the Speaker of the House of Representatives; and

(6) six public members, appointed by the President.

(b) The Council shall elect a Chairman, and shall meet at the call of the Chairman, but not less than twice a year. The members of the Council shall be appointed for terms of two years, except that the term of the first Council appointed under this Act shall end on December 31, 1978. The public members of the Council shall be appointed from among representatives of labor, industry, agriculture, consumers, and the public at large, who are especially competent by virtue of background and experience to furnish advice on the views and opinions of broad segments of the public on matters related to the purposes specified in section 2.

(c) Each public member of the Council shall be entitled to be compensated at a rate equal to the per diem equivalent of the rate for an individual occupying a position at level III of the Executive Schedule under section 5314 of title 5, United States Code, when engaged in the actual performance of his or her duties as such a member, and each member shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of his or her duties.

(d) The Secretary of Labor shall furnish the Council with such personnel, facilities, and services as he or she deems necessary to enable the Council to perform its functions under this Act.

(c) The provisions of section 14(a) of the Federal Advisory Committee Act shall not apply to the Council.

SEC. 5. Nothing in this Act shall affect the rights guaranteed under the National Labor Relations Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

LOAN GUARANTEE PROGRAM

SEC. 7. (a) Except as provided in subsection (b), on application by any eligible lender, the Secretary may guarantee, or make commitments to guarantee, such lender against loss of principal and interest on any loan made by such lender to any eligible employer.

(b) The Secretary may not under subsection (a) guarantee or make any commitment to guarantee any loan made by any eligible lender unless—

(1) the rate of interest on such loan is lower than the maximum rate of interest which the Secretary determines is appropriate;

(2) such lender agrees—

(A) to pay a periodic fee, determined by the Secretary, for such guarantee; and

(B) to provide the Secretary with such information as the Secretary determines is necessary to carry out this section with respect to such loan; and

(3) the written agreement providing for repayment of such loan contains such terms and conditions as the Secretary determines to be appropriate to protect the interests of the United States.

(c) (1) In the event of any default on any loan made by any eligible lender and guaranteed under this section, the Secretary shall pay to such lender, on request of such lender, the unpaid balance of principal and interest on such loan. On payment of such balance, the Secretary shall be subrogated to all rights of such lender with respect to such loan.

(2) Nothing in this section shall be construed to preclude—

(A) any forbearance by any eligible lender for the benefit of any eligible borrower which may be agreed upon by such lender and borrower and approved by the Secretary, or

(B) any forbearance by the Secretary, after payment under the guarantee of such loan, in the enforcement of any right under such guarantee.

(3) With respect to any payment under any guarantee pursuant to this section as a result of any default on any loan to any eligible employer, the Secretary shall notify

the Attorney General who shall take such steps as may be appropriate to recover the amount of such payment from such employer.

(d) Any guarantee made under this section with respect to any loan shall be an obligation supported by the full faith and credit of the United States with respect to both the principal of and interest on such loan. Any such guarantee shall be conclusive evidence of the eligibility of such loan for such guarantee, and the validity of such guarantee shall be incontestable, subject to any condition stated in such guarantee, in the hands of any holder of such guaranteed loan.

(e) (1) There is hereby established in the Treasury a loan guarantee fund to be administered by the Secretary. Such fund shall be used to pay all the expenses and obligations of the Secretary in carrying out this section, including any payment required under any guarantee made under this section.

(2) The Secretary shall deposit in the fund—

(A) fees for guarantees made under this section, and

(B) amounts recovered from any employer after—

(i) default on any loan made to such employer and guaranteed under this section, and

(ii) payment under such guarantee to the lender of such loan.

(3) Moneys in the fund not needed for current operations under this section may be invested in direct obligations of, or obligations which are fully guaranteed as to principal and interest by, the United States.

(f) For purposes of this section—

(1) the term "eligible employer" means any employer who—

(A) is participating in a project approved by the Secretary and meeting the criteria set forth under section 3;

(B) as determined by the Secretary, independently owns and operates a business which is not dominant in its field of operation, and, based on its dollar volume and number of employees relative to other business in its field of operation and on other factors deemed relevant by the Secretary, is a small business; and

(C) requires funds from a source other than the financial resources of such business in order to continue participating in such project; and

(2) the term "eligible lender" means any bank, savings bank, or building and loan, savings and loan, or homestead association (including cooperative banks),

credit union, or other financial or credit institution (including any insurance company) which is subject to examination and supervision by any agency of the United States or of any State, or any pension fund approved by the Secretary for this purpose.

95TH CONGRESS
1ST SESSION

H. R. 2595

A BILL

To provide for a program, to be carried out through the Secretary of Labor, of projects and an advisory council to promote economic stability by increasing productivity, improving job security, encouraging retention of jobs in lieu of cyclical layoffs, and promoting the better use of human resources in employment.

By Mr. LUNDINE, Mr. SARASIN, Mr. GILMAN, Mr. MOAKLEY, Ms. MIKULSKI, Mr. MITCHELL of Maryland, Mrs. FENWICK, Mr. GEPHARDT, Mr. WOLFF, Mr. PATTERSON of California, Mr. DRINAN, Mr. CONTE, Mr. SOLARZ, Mr. BONIOR, Mr. BAUCUS, Mr. WEISS, Mr. STARK, Mrs. CHISHOLM, Mr. TRAXLER, Mr. JEFFORDS, Mr. BINGHAM, Mr. AUCOIN, Mr. MILLER of California, Mr. SCHEUER, and Mr. PEASE

JANUARY 27, 1977

Referred jointly to the Committees on Banking, Finance and Urban Affairs and Education and Labor

311

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95th CONGRESS
1st Session

H. R. 2596

IN THE HOUSE OF REPRESENTATIVES

January 27, 1977

Mr. Lundine (for himself, Mr. Reuss, Mr. Moorhead of Pennsylvania, Mr. McKinney, Mr. Ottinger, Mr. Hughes, Mr. McHugh, Mr. Bedell, Mr. Eilberg, Mr. Nowak, Mr. Harrington, Mr. Rosenthal, Mr. Cornell, Mr. Lehman, Mr. Markey, Mr. Fauntroy, Mr. Steers, Mr. Rahall, Mr. Fraser, Mr. Downey, Mr. Mineta, Mrs. Spellman, Mr. Maguire, Mr. Pattison of New York, and Mr. LaFalce) introduced the following bill; which was referred jointly to the Committees on Banking, Finance and Urban Affairs and Education and Labor

---

A BILL

To provide for a program, to be carried out through the Secretary of Labor, of projects and an advisory council to promote economic stability by increasing productivity, improving job security, encouraging retention of jobs in lieu of cyclical layoffs, and promoting the better use of human resources in employment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Human Resources Development Act of 1977".

Sec. 2. It is the purpose of this Act to promote economic stability through the better use of human resources, to increase productivity, to improve job security, to encourage the retention of employees by employers as a policy with respect to counter-cyclical unemployment, to enhance the quality of working life, and to increase employment opportunities.

SEC. 3. (a) (1) In order to carry out the purposes specified in section 2, the President, through the Secretary of Labor (hereinafter in this Act referred to as the "Secretary"), shall carry out from funds appropriated under section 4, a program of projects which meet the requirement of paragraph (2), through contracts with States, units of general local government or combinations of such units, institutions of higher education as defined in section 1201 (a) of the Higher Education Act of 1965, and other employers including labor organizations as defined in section 2 (5) of the National Labor Relations Act. In entering into contracts under this section, the Secretary of Labor shall give priority to projects which involve labor-management cooperation. Such cooperation may include the advice, technical assistance, and moderation of an organization or agency independent of both labor and management, such as the Federal Mediation and Conciliation Service, or a labor-management cooperative committee, established or designated for that purpose by the party contracting with the Secretary of Labor.

(2) Each project assisted under a contract under this section shall be—

(A) a project, involving (i) increased participation of employees in problem solving and the decision-making process, (ii) increased participation of employees, through compensation, or other benefits, in the gains associated with increased productivity by employees, (iii) redesign of the tasks, responsibilities, and time patterns connected with particular units of employment, or

(B) a demonstration project designed to clearly demonstrate specific programs, or guidelines under which employment can be maintained at prescribed levels for a specific period of time and advances can be made in quality of working life, including a grant, to an employer in any area where the average rate of unemployment exceeds the national average rate of unemployment for a period of three consecutive months, as determined by the Secretary, for employees retained as employees who would, but for such grants, be laid off during periods of cyclical unemployment. Funds received under any such grant shall be used only for improving the design of the plant or workplace or of the tasks, responsibilities, and time patterns connected with particular jobs, for improving the level or type of skills of employees, or for solving job-related problems.

(3) The Secretary shall promulgate regulations, consistent with the purposes and requirements of this Act and with the requirements of the National Labor Relations Act, under which applications may be made for assistance under this section.

(4) A contract under this section may be made for any fiscal year, and payments thereunder may be made in advance or by way of reimbursement.

(5) The Human Resources Advisory Council established under section 4 shall make recommendations with respect to the administration of the projects assisted under this section and with respect to whether or not such projects achieve the purposes specified in section 2. Such Advisory Council shall conduct a specific evaluation of each project assisted under a contract under this section.

(6) When requested by the Secretary, the Federal Mediation and Conciliation Service shall—

(A) advise the Secretary of Labor with respect to the priorities to be established for purposes of determining the projects to be assisted under contract under this section, and

(B) provide technical assistance to labor and management during the period of operation of any project so assisted, and

(C) provide follow-up technical assistance, where such assistance is merited, after the completion of any such project.

(7) When requested by the Secretary, the National Center for Productivity and Quality of Working Life shall provide technical assistance to any project assisted under a contract under this section.

(8) The President shall submit to the Congress a semiannual report which shall contain a description of the projects assisted under this section and the specific contracts entered into thereunder and the results of the evaluations conducted under paragraph (5).

SEC. 4. (a) To furnish advice and assistance in the administration of the projects assisted under section 3, there is established a Human Resources Advisory Council (hereinafter in this section referred to as the "Council") which shall consist of—

(1) the Secretary;

(2) the Secretary of Commerce;

(3) the Secretary of the Treasury;

(4) two Senators appointed by the President pro tempore of the Senate;

(5) two Representatives appointed by the Speaker of the House of Representatives; and

(6) six public members, appointed by the President.

(b) The Council shall elect a Chairman, and shall meet at the call of the Chairman, but not less than twice a year. The members of the Council shall be appointed for terms of two years, except that the term of the first Council appointed under this Act shall end on December 31, 1978. The public members of the Council shall be appointed from among representatives of labor, industry, agriculture, consumers, and the public at large, who are especially competent by virtue of background and experience to furnish advice on the views and opinions of broad segments of the public on matters related to the purposes specified in section 2.

(c) Each public member of the Council shall be entitled to be compensated at a rate equal to the per diem equivalent of the rate for an individual occupying a position at level III of the Executive Schedule under section 5314 of title 5, United States Code, when engaged in the actual performance of his or her duties as such a member, and each member shall be entitled to reimbursement for travel, subsistence, and other necessary expenses incurred in the performance of his or her duties.

(d) The Secretary of Labor shall furnish the Council with such personnel, facilities, and services as he or she deems necessary to enable the Council to perform its functions under this Act.

(e) The provisions of section 14(a) of the Federal Advisory Committee Act shall not apply to the Council.

SEC. 5. Nothing in this Act shall affect the rights guaranteed under the National Labor Relations Act.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

LOAN GUARANTEE PROGRAM

SEC. 7. (a) Except as provided in subsection (b), on application by any eligible lender, the Secretary may guarantee, or make commitments to guarantee, such lender against loss of principal and interest on any loan made by such lender to any eligible employer.

(b) The Secretary may not under subsection (a) guarantee or make any commitment to guarantee any loan made by any eligible lender unless—

(1) the rate of interest on such loan is lower than the maximum rate of interest which the Secretary determines is appropriate;

(2) such lender agrees—

(A) to pay a periodic fee, determined by the Secretary, for such guarantee; and

(B) to provide the Secretary with such information as the Secretary determines is necessary to carry out this section with respect to such loan; and

(3) the written agreement providing for repayment of such loan contains such terms and conditions as the Secretary determines to be appropriate to protect the interests of the United States.

(c) (1) In the event of any default on any loan made by any eligible lender and guaranteed under this section, the Secretary shall pay to such lender, on request of such lender, the unpaid balance of principal and interest on such loan. On payment of such balance, the Secretary shall be subrogated to all rights of such lender with respect to such loan.

(2) Nothing in this section shall be construed to preclude—

(A) any forbearance by any eligible lender for the benefit of any eligible borrower which may be agreed upon by such lender and borrower and approved by the Secretary, or

(B) any forbearance by the Secretary, after payment under the guarantee of such loan, in the enforcement of any right under such guarantee.

(3) With respect to any payment under any guarantee pursuant to this section as a result of any default on any loan to any eligible employer, the Secretary shall notify

the Attorney General who shall take such steps as may be appropriate to recover the amount of such payment from such employer.

(d) Any guarantee made under this section with respect to any loan shall be an obligation supported by the full faith and credit of the United States with respect to both the principal of and interest on such loan. Any such guarantee shall be conclusive evidence of the eligibility of such loan for such guarantee, and the validity of such guarantee shall be incontestable, subject to any condition stated in such guarantee, in the hands of any holder of such guaranteed loan.

(e) (1) There is hereby established in the Treasury a loan guarantee fund to be administered by the Secretary. Such fund shall be used to pay all the expenses and obligations of the Secretary in carrying out this section, including any payment required under any guarantee made under this section.

(2) The Secretary shall deposit in the fund—

(A) fees for guarantees made under this section, and

(B) amounts recovered from any employer after—

(i) default on any loan made to such employer and guaranteed under this section, and

(ii) payment under such guarantee to the lender of such loan.

(3) Moneys in the fund not needed for current operations under this section may be invested in direct obligations of, or obligations which are fully guaranteed as to principal and interest by, the United States.

(f) For purposes of this section—

(1) the term "eligible employer" means any employer who—

(A) is participating in a project approved by the Secretary and meeting the criteria set forth under section 3;

(B) as determined by the Secretary, independently owns and operates a business which is not dominant in its field of operation, and, based on its dollar volume and number of employees relative to other business in its field of operation and on other factors deemed relevant by the Secretary, is a small business; and

(C) requires funds from a source other than the financial resources of such business in order to continue participating in such project; and

(2) the term "eligible lender" means any bank, savings bank, or building and loan, savings and loan, or homestead association (including cooperative banks),

credit union, or other financial or credit institution (including any insurance company) which is subject to examination and supervision by any agency of the United States or of any State, or any pension fund approved by the Secretary for this purpose.

95TH CONGRESS
1ST SESSION

H. R. 2596

A BILL

To provide for a program, to be carried out through the Secretary of Labor, of projects and an advisory council to promote economic stability by increasing productivity, improving job security, encouraging retention of jobs in lieu of cyclical layoffs, and promoting the better use of human resources in employment.

By Mr. LUNDINE, Mr. REUSS, Mr. MOORHEAD of Pennsylvania, Mr. McKINNEY, Mr. OTTINGER, Mr. HUGHES, Mr. McHUGH, Mr. BEDELL, Mr. EILBERG, Mr. NOWAK, Mr. HARRINGTON, Mr. ROSENTHAL, Mr. CORNELL, Mr. LEHMAN, Mr. MARKEY, Mr. FAUNTROY, Mr. STEERS, Mr. RAHALL, Mr. FRASER, Mr. DOWNEY, Mr. MINETA, Mrs. SPELLMAN, Mr. MAGUIRE, Mr. PATTISON of New York, and Mr. LAFALCE

JANUARY 27, 1977

Referred jointly to the Committees on Banking, Finance and Urban Affairs and Education and Labor

CE

95TH CONGRESS
1ST SESSION

H. R. 2606

U.S. DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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IN THE HOUSE OF REPRESENTATIVES

JANUARY 27, 1977

Mr. PATTERSON of California introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To provide a special program for financial assistance to Opportunities Industrialization Centers in order to provide one million new jobs and job training opportunities, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Opportunities Industrialization Centers Job Creation and Training Act of 1976".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) The Congress finds that over the past eleven years the success of the Opportunities Industrialization Centers in job training and establishing new jobs uniquely qualifies the Opportunities Industrialization Centers organization

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to receive special assistance to train and provide jobs for one million Americans in the Bicentennial year, and the three succeeding years.

(b) It is the purpose of this Act to provide special authority for the Opportunities Industrialization Centers in order to—

(1) create and provide jobs for unemployed persons who are particularly hard to employ and to train such individuals to make the transition to permanent employment;

(2) create and provide job opportunities for unemployed persons in depressed urban and rural areas, particularly hard hit by the recent economic recession;

(3) create and provide job opportunities for unemployed persons who were employed in industries particularly hard hit by the recent recession;

(4) utilize public works projects and other Federal financial assistance made by the Federal Government to local public agencies in order to increase the employability of unemployed individuals; and

(5) create job opportunities for unemployed persons in rural communities in order to prevent outmigration from such communities; and

(6) provide opportunities for industry to create additional jobs for the unemployed in rural and urban communities.

PROGRAM AUTHORIZED

SEC. 3. (a) The Secretary of Labor is authorized and directed to enter into a contract with Opportunities Industrialization Centers, Incorporated, in order to provide through such centers comprehensive employment services and jobs for unemployed persons in accordance with the provisions of this Act.

(b) Notwithstanding any other provision of law, and to the extent consistent with the objective of each authority specified in subsection (c) of this section, the head of each agency administering such authority shall make whatever arrangements he deems necessary, with the local public agency concerned receiving assistance under that authority, to assure that special consideration will be given to Opportunities Industrialization Centers for the provision of comprehensive employment services and job opportunities for unemployed persons pursuant to such authority.

(c) The programs to which subsection (b) applies are—

(1) State and Local Assistance Act of 1972, and any successor program providing for general revenue sharing to States and local governments;

(2) title I of the Housing and Community Development Act of 1974;

(3) the Public Works Employment Act of 1975;

(4) any authority providing for Federal financial assistance to public works; and

(5) special rehabilitation projects designed to improve the Nation's railroads.

CONTRACT PROVISIONS

SEC. 4. (a) Financial assistance may be provided pursuant to this Act by the Secretary for each fiscal year only pursuant to a contract between the Secretary and the head of the Opportunities Industrialization Centers organization,

(b) Each such contract shall contain provisions to assure that—

(1) the Opportunities Industrialization Centers will provide comprehensive employment services and job opportunities for unemployed persons, including recruitment, counseling, remediation, vocational training, job development, job placement, and any other appropriate services designed to furnish jobs to such persons;

(2) whenever jobs are furnished by an eligible employer, Opportunities Industrialization Centers, Incorporated, will enter into a contract with such eligible individuals to assure that the appropriate provisions of this Act are complied with;

(3) special consideration will be given to the filling of jobs which provide sufficient prospects for advancement or suitable continued employment by pro-

viding training and employment services designed to (A) promote the advancement of participants to employment or training opportunities suitable to the individuals involved, whether in the public or private sector of the economy; (B) provide participants with skills for which there is an anticipated high demand; or (C) provide participants with self-development skills, but nothing contained in this paragraph shall be construed to preclude the participation of any individuals or the development of any programs for which the foregoing goals are not feasible or appropriate;

(4) special consideration in filling jobs will be given to unemployed persons who served in the Armed Forces in Indochina or Korea on or after August 5, 1964, in accordance with criteria established by the Secretary in such contract (and who have received other than dishonorable discharges), and (B) the Opportunities Industrialization Centers shall make special efforts to acquaint such veterans with the program and the jobs available to veterans under this Act;

(5) to the extent feasible jobs will be provided in occupational fields which are most likely to expand within the public or private sector as the unemployment rate recedes;

(6) special consideration in providing jobs will be given to unemployed persons who are the most severely disadvantaged in terms of the length of time they have been unemployed, and the prospects of such persons for finding employment without assistance under this Act, but such special consideration shall not authorize the hiring of any person when any other person is on lay-off from the same or substantially equivalent job;

(7) no funds received pursuant to this Act will be used to hire any person to fill a job opening created by the action of an employer in laying off or terminating the employment of any regular employee not supported under this Act or under the Comprehensive Employment Training Act of 1973, in anticipation of filling the vacancy so created by hiring an employee to be supported under this Act;

(8) due consideration will be given to persons who have participated in manpower training programs for whom unemployment opportunities would not be otherwise immediately available;

(9) the wages or salaries to be paid persons employed in jobs under this Act are disclosed;

(10) the planning for and training of supervisory personnel to be employed under this Act is specified;

(11) all persons employed under such program other than necessary technical supervisory administrative personnel will be selected from among unemployed and underemployed persons;

(12) the program will to the maximum extent feasible contribute to the elimination of artificial barriers to employment and occupational advancement; and

(13) not more than 15 per centum of the participants in the program will be employed in a bona fide professional capacity (as that term is used in section 13 (a) (1) of the Fair Labor Standards Act of 1938), except that this paragraph shall not be applicable in the case of participants employed as classroom teachers, and the Secretary may provide objective criteria for the waiver of this limitation in exceptional circumstances in such contract.

The Secretary shall include such other assurance provisions in the contract as are consistent with the provisions of this Act.

SPECIAL CONDITIONS

SEC. 5. (a) The Secretary shall not provide financial assistance for any program or activity pursuant to a contract entered into under this Act, unless he determines that—

(1) the program (A) will result in an increase in employment or in employee skills likely to lead to em-

ployment opportunities, over those opportunities which would otherwise be available, (B) will not result in the displacement of currently employed workers (including partial displacement such as a reduction in the hours of nonovertime work or wages or employment benefits), (C) will not impair existing contracts for services or result in the substitution of Federal or other funds in connection with work that would otherwise be performed, and (D) will not substitute jobs supported hereunder for existing federally assisted jobs;

(2) persons employed in jobs under this Act shall be paid wages which shall not be lower than whichever is the highest of (A) the minimum wage which would be applicable to the employee under the Fair Labor Standards Act of 1938, if section 6(a)(1) of such Act applied to the participant and if he were not exempt under section 13 thereof, (B) the State or local minimum wage for the most nearly comparable covered employment, or (C) the prevailing rates of pay for persons employed in similar occupations by the same employer;

(3) funds under this Act will not be used to pay persons employed in jobs under this Act at a rate in excess of $10,000 per year;

(4) all persons employed in jobs under this Act will be assured of workmen's compensation, health insurance, unemployment insurance, and other benefits at the same levels and to the same extent as other employees of the employer and to working conditions and promotional opportunities neither more nor less favorable than such other employees enjoy;

(5) the provisions of section 2(a)(3) of Public Law 89–286 (relating to health and safety conditions) shall apply to such program or activity;

(6) the program will, to the maximum extent feasible, contribute to the occupational development or upward mobility of individual participants;

(7) every participant shall be advised, prior to entering upon employment, of his rights and benefits in connection with such employment.

(b) The Secretary shall include provisions in any contract entered into under section 4 of this Act to assure that Opportunities Industrialization Centers, Incorporated, will to the extent practicable provide comprehensive employment services and job opportunities on an equitable basis among significant segments of the population of unemployed persons.

(c) The Secretary shall include provisions in any contract entered into under section 4 of this Act to insure that adequate internal administrative controls, accounting requirements, personnel standards, evaluation procedures, and other policies as may be necessary are established and promote the effective use of funds.

(d) The Secretary shall not provide financial assistance for any program covered by a contract entered into pursuant to section 4 unless he determines that periodic reports will be submitted to him containing data designed to enable the Secretary and the Congress to measure the relative and, where such program can be compared appropriately, comparative effectiveness of the programs assisted pursuant to such contract.

(e) The Secretary shall not provide financial assistance for any program covered by a contract under section 4, unless the contract and any subcontract entered into by Opportunities Industrialization Centers, Incorporated, specifically provides that no person with responsibilities in the operation of such program will discriminate with respect to any program participant or any applicant for participation in such program because of race, creed, color, national origin, sex, political affiliation, or beliefs.

(f) The Secretary shall not provide financial assistance for any program covered by a contract entered into under section 4, which involves political activities; and neither that program, the funds provided therefor, nor personnel employed in the administration thereof shall be, in any way or to any extent, engaged in the conduct of political activities in contravention of chapter 15 of title 5, United States Code.

(g) The Secretary shall not provide financial assistance for any program covered under the contract under section 4, unless he determines the participants in the program will not be employed on the construction, operation, or maintenance of so much of any facility as is used or to be used for sectarian instruction or as a place of religious worship.

DEFINITIONS

SEC. 6. As used in this Act, the term—

(1) "eligible employer" means any public agency, including any department or agency of the Federal Government and any State or local government agency, any private nonprofit organization, and any business enterprise;

(2) "unemployed persons" means—

(A) adults who are without jobs and who want and are available for work; and

(B) adults who or whose families receive supplemental security income or money payments pursuant to a State plan approved under title I, IV, X, or XVI of the Social Security Act, or would, as defined in regulations to be issued by the Secretary, be eligible for such payments but for the fact that both parents are present in the home—

(i) who are determined by the Secretary of Labor in consultation with the Secretary of Health, Education, and Welfare, to be available for work, and

(ii) who are persons without jobs, and a determination of whether adults are without jobs shall be made in accordance with the criteria used by the Bureau of Labor Statistics of the Department of Labor in defining persons as unemployed, but such criteria shall not be applied differently on account of an individual's previous employment;

(3) "adult" means an individual who has attained eighteen years of age; and

(4) "Secretary" means the Secretary of Labor.

ADMINISTRATION

SEC. 7. The Secretary, in carrying out the provisions of this Act, shall have the same authority as is provided in title VII of the Comprehensive Employment and Training Act of 1973.

AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) There are authorized to be appropriated to carry out the provisions of this Act, $150,000,000 for the fiscal year 1977, $200,000,000 for the fiscal year 1978, $300,000,000 for fiscal year 1979, and $350,000,000 for fiscal year 1980.

(b) For each fiscal year succeeding any fiscal year in which the Opportunities Industrialization Centers organization receives financial assistance pursuant to the authorities set forth in section 3 (c) of this Act appropriations shall be reduced by the sum of the financial assistance so received.

95TH CONGRESS
1ST SESSION

H. R. 2606

A BILL

To provide a special program for financial assistance to Opportunities Industrialization Centers in order to provide one million new jobs and job training opportunities, and for other purposes.

By Mr. PATTERSON of California

JANUARY 27, 1977

Referred to the Committee on Education and Labor

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95th CONGRESS
1st Session

H. R. 2726

U S DEPARTMENT OF HEALTH,
EDUCATION & WELFARE
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IN THE HOUSE OF REPRESENTATIVES

January 31, 1977

Mr. Perkins introduced the following bill; which was referred to the Committee on Education and Labor

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A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Young Adult Conservation Corps Act".

Sec. 2. The Act entitled "An Act to establish a pilot program in the Departments of the Interior and Agriculture designated as the Youth Conservation Corps, and for other purposes", enacted August 13, 1970 (84 Stat. 794; 42 U.S.C. prec. 2711 note; 16 U.S.C.A. 1701–06) (hereafter in this Act referred to as the Youth Conservation Corps

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Act), is amended by adding at the end thereof the following new title:

"TITLE II—YOUNG ADULT CONSERVATION CORPS

"POLICY AND PURPOSE

"SEC. 201. The Congress finds—

"(1) that unemployment levels are excessively high among young adults;

"(2) that young adults have minimal or no job experience, and that considering our country's current economic situation, these young adults have a limited opportunity of gaining the necessary job experience, training, and fundamental skills required to enter the labor force at a competitive level;

"(3) that as a result of the high unemployment levels of this age group our country's social service resources are being unnecessarily drained, and the Government is losing tax revenues;

"(4) due to their limited opportunities, crime rates are higher among young adults;

"(5) that there are large inventories of conservation work and other work of a public nature within the national park system, the national forest system, States, municipalities, and other public land and water areas of the United States which require large amounts of labor and relatively small capital investments; and

"(6) that much of the conservation work and other work of a public and environmental nature on the lands and waters of the United States, such as reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion, and floods, can only be accomplished during certain seasons or by a year-round work program.

It is, therefore, the purpose of this title to complement the highly successful Youth Conservation Corps and to provide employment and other benefits to young adults while reducing the inventory of conservation work and completing many other projects of a public nature on the lands and waters of the United States. This title supplements and extends the provisions of title I of this Act and does not limit or repeal any existing authority provided by title I of this Act.

"EXTENSION OF YOUTH CONSERVATION CORPS

"SEC. 202. The Secretary of the Interior and the Secretary of Agriculture (hereafter in this title referred to as the 'Secretaries') shall jointly extend the Youth Conservation Corps so as to make possible the year-round employment of

young adults. Section 102 of this Act applies to the extended Corps under this title, except that an individual employed as a Corps member under this title—

"(1) shall have attained age sixteen but not attained age twenty-six;

"(2) shall be physically capable, as determined under regulations established by the Secretaries, to carry out the works of the Corps;

"(3) shall be given preference for employment if a veteran of the Vietnam War; and

"(4) may be employed for a total period of not more than twelve months, with such maximum employment period consisting of one continuous twelve-month period or of two or more periods which together total twelve months.

"SECRETARIAL DUTIES AND FUNCTIONS

"SEC. 203. (a) Section 103 of this Act, relating to the duties and functions of the Secretaries, applies to this title, except that in administering this title the Secretaries shall—

"(1) in determining the appropriate locations for Corps projects, give priority to counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months as determined by the Secretary of Labor;

"(2) in determining appropriate work projects for Corps members, give priority to projects that—

"(A) are highly labor intensive;

"(B) have work plans or for which work plans could be readily developed; and

"(C) may be initiated promptly; and

"(3) in determining rates of pay for Corps members, set those rates at the current Federal minimum wage, set forth in section 6(a)(1) of the Fair Labor Standards Act of 1938, but in determining such rates of pay, consideration shall be given to housing, transportation, food, medical, and other direct benefits of employment, except that supplies and equipment shall not be benefits of employment.

"(b) In carrying out this title, the Secretaries shall provide, to the maximum extent practicable, that Corps members under this title shall not, at the same time, share common facilities or work on common projects with Corps members under title I of this Act.

"EXTENSION OF GRANT PROGRAM FOR STATE PROJECTS

"SEC. 204. (a) The Secretaries shall jointly extend the grant program for State projects required by section 104 of this Act so as to provide increased employment to young adults to develop, preserve, and maintain non-Federal public lands and waters within the States, as defined in section 104 (a). Sections 104 (a), (b), and (c) of this Act apply to the extended grant program for State projects under this title, except that for the purposes of this title, each grant application shall contain assurances satisfactory to the Secretaries that individuals employed under the project for which the application is submitted—

"(1) shall have attained age sixteen but not attained age twenty-six;

"(2) shall be physically capable, as determined under regulations established by the Secretaries;

"(3) shall be given preference for employment if they reside in counties having a rate of unemployment equal to or in excess of 6 per centum for three consecutive months, as determined by the Secretary of Labor;

"(4) be employed for a total period of not more than twelve months, with such maximum employment consisting of one continuous twelve-month period or of two or more periods which together total twelve months; and

"(5) shall be paid at the rate set under section 203 (a) (3).

"(b) Thirty per centum of the sums appropriated to carry out this title for any fiscal year shall be made available for grants under this section for such fiscal year or for such period, respectively.

"(c) The States, in employing young adults in the extended grant programs authorized by this section, shall have the same duty, with respect to common facilities and projects, as is imposed on the Secretaries under section 203 (b).

"SECRETARIAL REPORTS

"SEC. 205. The Secretaries shall prepare jointly and submit to the President and the Congress reports detailing the activities carried out under this title. The first such report, covering the period from the date of enactment of this title until September 30, 1977, shall be submitted not later than March 1, 1977, and reports covering fiscal years ending on September 30, 1978, and subsequent fiscal years, shall be submitted not later than January 1 of the calendar year following the calendar year in which such fiscal year ends.

"TIME PERIOD FOR PLANNING AND PREPARATION

"SEC. 206. (a) During the period beginning on the date of enactment of this title and ending eight months after such date, the Secretaries shall prepare a plan to carry out the activities authorized by this title and prepare the site locations, facilities, and equipment selected in the plan. Such plan shall contain an estimate of the annual costs of carrying out the activities authorized by this title, a procedure for selecting candidates for the extended Corps, a list and description of the work projects initially selected by the Secretaries for the extended Corps to carry out under this title, and a list and description of site locations, facilities, and equipment initially selected by the Secretaries for work camps to be used by the extended Corps under this title. In preparing such plan, the Secretaries shall plan for the extended Corps to employ one hundred thousand young adults under this title during its first fiscal year of operation, three hundred thousand young adults during its second fiscal year of operation, four hundred thousand young adults during its third fiscal year of operation, and five hundred thousand young adults during its fourth fiscal year of operation. In selecting work projects for the extended Corps, the Secretaries shall give priority to reforestation, timber stand improvement, fighting forest fires, trail and campground improvements, and control of insects, diseases, soil erosion,and floods. In selecting facilities for Corps work camps, the Secretaries shall utilize existing facilities, including military facilities, whenever possible,

"(b) No young adults shall be employed in the extended Corps under section 202 and no grants shall be made to the States under the extended grant program of section 204 (a) until one year after the date of enactment of this title.

"(c) The Secretaries shall submit to the Congress the plan they prepared pursuant to subsection (a) on the two hundred and fortieth day after the date of enactment of this title. If neither House of Congress disapproves such plan within sixty days after its submission, such plan shall be deemed approved.

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 207. (a) There is authorized to be appropriated to the Secretaries for preparing the plan required under section 206 of this Act, and for preparing the sites, facilities, and equipment selected in such plan, such sums as may be necessary.

"(b) There are authorized to be appropriated to the Secretaries for carrying out this title such sums as may be necessary to maintain an enrollment level of five hundred corpsmen for each fiscal year beginning with the fiscal year ending September 30, 1977. Notwithstanding any other provision of law, funds appropriated for any fiscal year to carry out this title shall remain available for obligation and expenditure until the end of the fiscal year following the fiscal year for which appropriated.".

SEC. 3. The Youth Conservation Corps Act is further amended by—

(1) inserting immediately after the enacting clause the following:

"TITLE I—YOUTH CONSERVATION CORPS";

(2) redesignating sections 1 through 6 as sections 101 through 106, respectively;

(3) striking out "section 6" in section 104(d) (as redesignated by clause 2 of this section) and inserting in lieu thereof "section 106"; and

(4) striking out "Act" each place it appears in sections 101 through 106 (as redesignated by clause 2 of this section) and inserting in lieu thereof "title".

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95TH CONGRESS
1ST SESSION

H. R. 2726

A BILL

To create the Young Adult Conservation Corps to complement the Youth Conservation Corps.

By Mr. PERKINS

JANUARY 31, 1977

Referred to the Committee on Education and Labor

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